

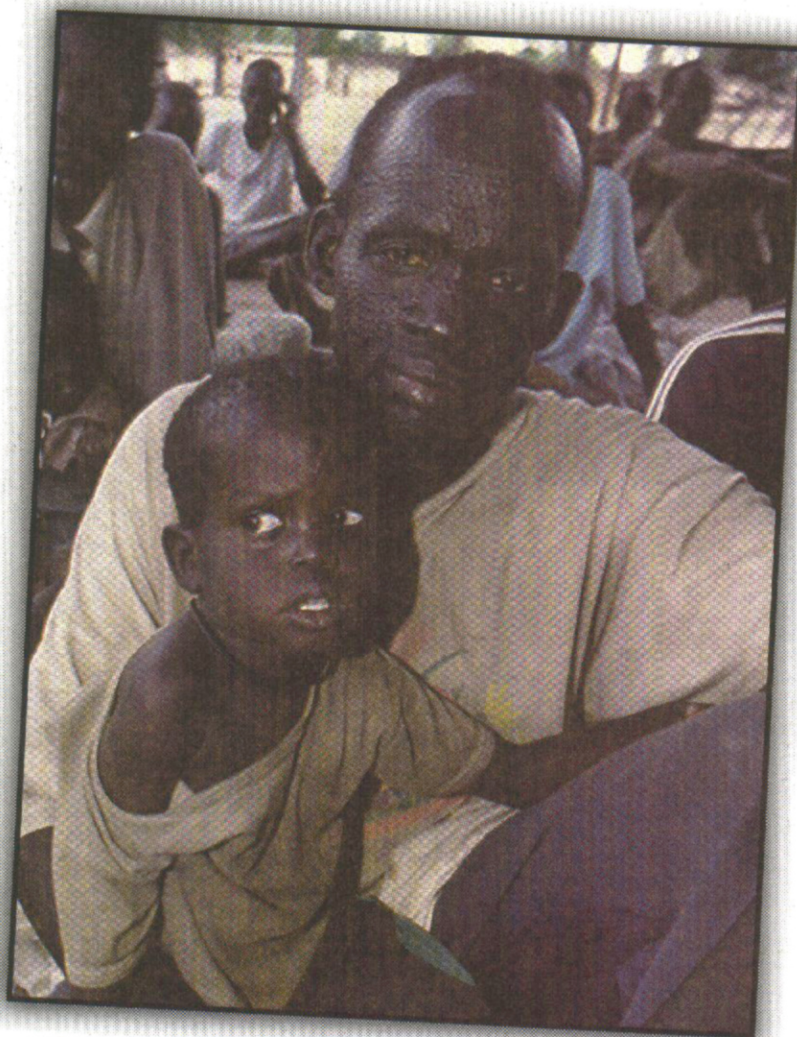
THE HISTORY OF THE DEATH PENALTY • SELLING THE WAR ON IRAQ

In These Times

INDEPENDENT NEWS & VIEWS

October 14, 2002

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DANIEL SWIFT REPORTS

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Editorial

Selling the War

George W. Bush is asking Americans—and the rest of the world—to follow him into war. But why should we accept the president's rationale for a "regime change" (a linguistic cousin of "collateral damage") and invade Iraq?

Gen. Wesley Clark, the former NATO supreme allied commander in Europe, thinks it's a bad idea. "Attacking Iraq will detract from our primary mission against al-Qaeda," he said, "supercharging anti-American sentiment in the Arab street, boosting al-Qaeda's recruiting, and causing difficulty for moderate Arab regimes."

Gen. Michael Rose, the former U.N. commander in Bosnia, warned, "We are heading for an assault on Iraq without—on either side of the Atlantic—anything like enough debate about the moral justification or military practicality of doing so."

Bush argues that "regime change is in the interest of the world." Yet when one current British ambassador was asked by the *Guardian* if the rumor was true that all British ambassadors in the Middle East believe an attack on Iraq would be a disaster, he answered: "Yes."

Bush has little use for the collective wisdom of the British diplomatic corps. He has the likes of Paul Wolfowitz and Richard Perle formulating his war plans. The U.S. media calls them "hawks," but they're known as "Israel firsters" by the rest of the world. (One senior U.S. official, speaking on condition of anonymity, told the *Boston Globe*: "There are people invested in this philosophy all throughout the administration.")

Perle, the head of the Defense Policy Board, is an adviser to far-right think tanks like the Center for Security Policy and the Jewish Institute for National Security Affairs. Wolfowitz, the deputy secretary of defense, is described by one former congressman as "the big brain who's thinking about strategies, policies and geostrategic implications."

If you wonder why we're witnessing this sudden onslaught of talking heads talking war, White House Chief of Staff Andrew H. Card Jr. explains: "From a marketing point of view, you don't introduce new products in August."

The campaign to sell the war is now in full-swing. Its slogan: a new war for a "new Middle East." The Hudson Institute's Meyrav Wurmser, a member of the sales team, explained to the *Boston Globe*: "After a war with Iraq, then you really shape the region."

But key allies are not buying it. German Chancellor Gerhard Schröder put it this way: "We're not available for adventures, and the time of checkbook diplomacy is over once and for all."

Here in America, however, checkbook politics is alive and well. The administration and its associates have augmented their marketing strategy with an attack on opposition members of Congress. Supporters of the American Israel Public Affairs Committee (AIPAC), which functions like the U.S. political arm of Likud, got out their checkbooks this election cycle to oust Reps. Cynthia McKinney of Georgia and Earl Hilliard of Alabama, two Democrats who have dared to question Middle East policy. The message is clear: Here's what happens when you speak out against Israel.

The warmongers say that faint-hearted opponents of a war are opting for appeasement of Saddam Hussein, our modern Hitler. But who really fills the shoes of a latter-day Neville Chamberlain? A case can be made that by going to war with Iraq, the administration would in fact be appeasing Ariel Sharon and Likud, driving a wider wedge between the United States and the Arab world.

This strategy is doomed to fail. Yes, a war might rid the world of Saddam Hussein, but thousands of Iraqis would be killed, and the damage to relations between the Muslim world and the United States would be irreparable. It would be them and us.

As Egyptian President Hosni Mubarak warns: "If you strike at the Iraqi people because of one or two individuals and leave

"From a marketing point of view, you don't introduce new products in August."

the Palestinian issue [unsolved], not a single [Arab] ruler will be able to curb the popular sentiments. We fear a state of disorder and chaos may prevail in the region."

It is time for all Americans to stand up and declare that U.S. foreign policy must not be guided by this cabal of Israel-firsters and their comrades on the Christian right; that a just peace between Israel and Palestine must once again be placed high on the international agenda; and that Saddam Hussein must be contained by policies that control his military capabilities and leave the Iraqi people unharmed.

—Joel Bleifuss

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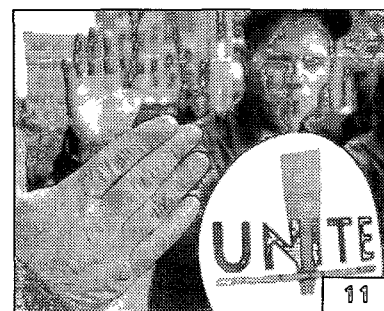
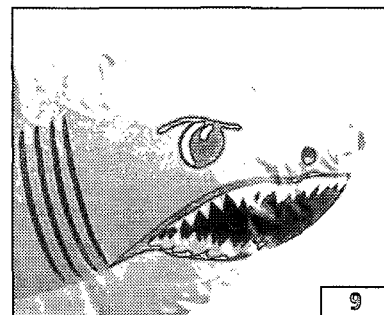
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By Joshua Rothkopf

Beware, for I am the *Master of the Flying Guillotine*.

COVER PHOTO: JASON PAYNE/PICTUREDESK INTERNATIONAL



Sobering Thought

Nate Hendley's report on the events surrounding the Canadian changes in marijuana laws that will be putting pressure on the States is well taken ("Northern Lights," September 2). But some of his comments comparing the drug war to the alleged failure of Prohibition restate a popular myth. The era of 1918 to 1933 was actually quite successful, depending on your criteria.

Those 15 years of alcohol denial proved beneficial to society, as all health and social demographics reveal. Hospital admissions for liver pathologies, mostly alcohol-related, hit new lows. Emergency room crises due to DWIs, even just at the onset of the automobile age, were well controlled. Job-related accidents and absenteeism, mostly in the afternoons after the lunch time visits to the local pubs, dropped noticeably. The loss of tax revenues from alcohol sales was more than offset by the savings to society and the drain on its services from the morbidities caused by whiskey.

We have also been told that Prohibition was behind the onset of organized crime. More nonsense, and true only if you deny the James and Dalton gangs and the Chicago baseball-fixing scandal. The speakeasies and bootleggers were small in number, despite the drama from Hollywood and our novelists. America, for the most part, remained thirsty but quite law abiding.

Why, then, was it waived? Because Canadian booze moguls and their U.S. counterparts convinced FDR and his loop that legal stills would create employment and help relieve the Depression. The present dogooders in Washington are suspect when they clamor for pot control. The power structure on the Hill and on Wall Street like our youth and potential protesters high as kites. This makes it all the easier for Bush and company to move forward with their plans for world hegemony.

Dr. Don Sloan
New York

Desperate Times

It sounds as if Doug Ireland is having as much trouble getting excited about the Democrats as almost everyone I talk to ("Dithering Democrats," August 19). I'm sorry, but it's just more and more obvious that there is no difference between the two parties. The real tragedy is that, at present, there's nowhere else to go. It takes time to build a third party movement, and it may already be too late to start. All the opposi-

tion to our national warmongering is coming from outside the country. Maybe we should take a cue from those CIA-sponsored Iraqi dissidents. Desperate times call for desperate measures. Let's occupy some foreign embassy and start calling for the overthrow of the Bush regime.

Mary Anderson
Briceland, California

No Excuses

I find it disturbing just how much the activist left has bought into the excuses for Palestinian suicide bombers. Too many mimic the same credo: expressing condemnation over the bombings, while excusing them as "acts of desperation."

What a crock! Which people in the world were more desperate, hopeless or powerless than African-Americans in the United States, ground into the dirt for 300 years, suffering oppression far worse than the Palestinians ever will (and without the glow of media attention)? According to this flimsy rationale, there should have been thousands of suicide bombings throughout the Deep South during the Civil Rights era. Instead, there were none. Repeat: none.

The suicide bombings are not acts of desperation, but a deliberate tactic of a morally corrupt leadership dedicated to violence, intractability and religious fanaticism. While the actions of the Sharon government are inexcusable, it's somewhat hypocritical for social justice activists to give lip service to

Gandhi and King while justifying these craven killings.

Daniel A. Brown
Leyden, Massachusetts

Most Censored Stories

Project Censored at California's Sonoma State University has announced this year's list of the 25 most undercovered, "censored" news stories. Once again, *In These Times* has made the list.

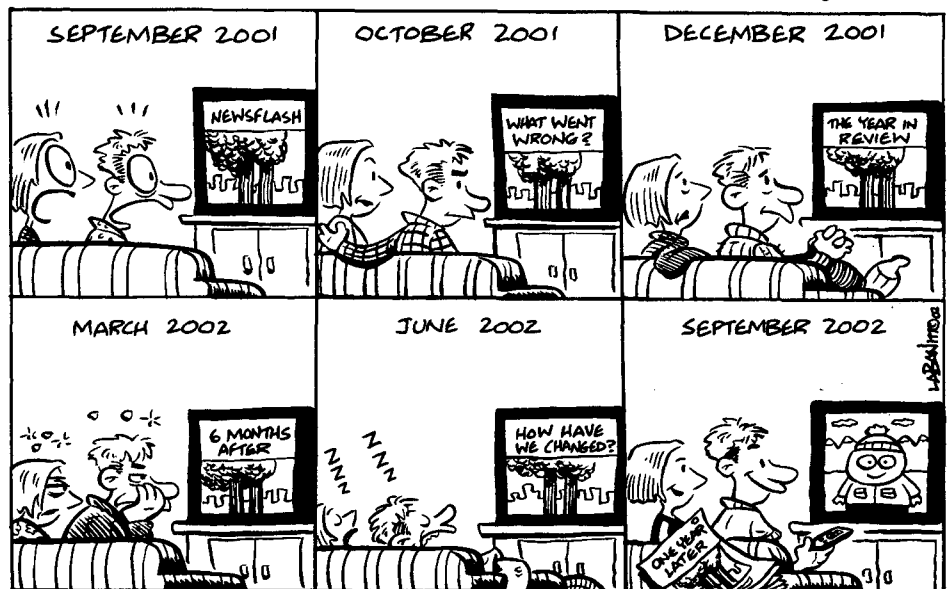
Linda Lutton's "Testing, Testing: The Miseducation of George W. Bush" (June 25, 2001), a story on the misguided emphasis on standardized tests, was honored as the No. 7 most censored story. Randy Shaw's report on the national housing crisis, "There's No Place Like Home" (November 13, 2000), came in at No. 9. And Terry J. Allen's "Public Serpent," a report on Bush's appointment of Iran-Contra villain Elliott Abrams to a key government position, earned the No. 11 spot.

Congratulations to the honorees. The winning stories can all be found at www.inthesetimes.com.

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Terry LaBan



Fascists for Che

White supremacists infiltrate the anti-globalization movement

By Nick Mamatas

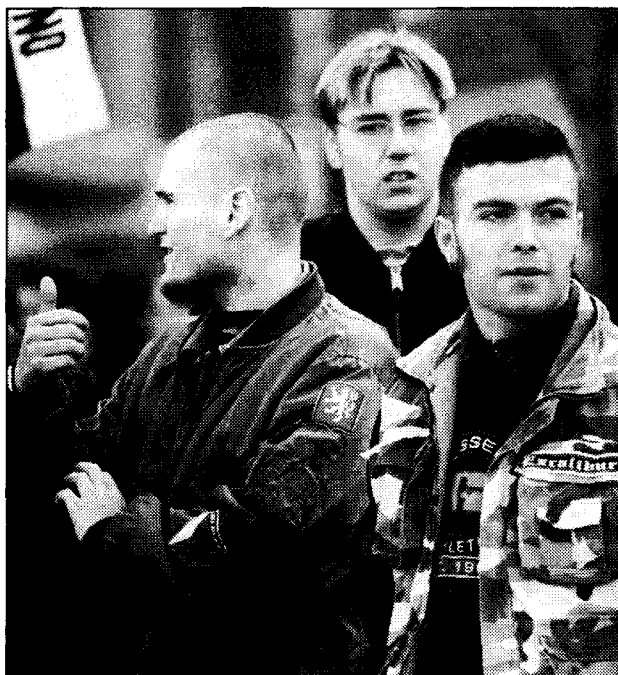
Neo-Nazi rallies in America's urban centers are most often the tiny affairs of a few racists, and are often drowned out by massive counter-protests. But on August 24, hundreds of followers of the National Alliance and other neo-Nazis, under a front called Taxpayers Against Terrorism, held their fourth and largest anti-Israel event in Washington since September 11.

The racist National Alliance and other white supremacist and neo-Nazi groups are piggybacking on anti-globalization and anti-Israeli occupation movements with a new enthusiasm by adopting anti-corporate and pro-Palestinian rhetoric, hoping to recruit young activists drawn to the post-Battle of Seattle political milieu.

Neo-Nazis "are definitely gaining confidence," says Zein El-Amine, who helped recruit progressive Arabs to the rally's counter-protest. "They are getting more sophisticated with their organizing. ... They had Arabic signs at this demo that said 'Zionism is terrorism.'"

The confidence shows in numbers. The rally of more than 300 on August 24 was significantly larger than its counterpart on May 11, thanks to online organizing and a new tactic of holding a "Rock Against Israel" concert featuring hate rock acts Brutal Attack, Celtic Warrior and Intimidation One at a "secret location" after the protest. Only those who attended the rally were allowed entry to the show, which was held at a National Guard armory in White Marsh, Maryland.

The progressive-sounding Web site www.g8activist.com is home to the so-called Anti-Globalism Action Network (AGAN), another front for the National Alliance. At first blush, the group sounds legit. The URL is designed to resemble www.g8activist.ca, a real anti-globalization site, and AGAN claims to stand against the Bush administration's imminent war on Iraq. The site has reposted an article by David Finkel from the socialist magazine *Against the Current* that criticizes Israeli Prime Minister Ariel Sharon.



Neo-Nazis: now trying to latch on to the left.

National Alliance members like Bill White often post to the boards at www.indymedia.org to hype forthcoming events; others make dubious free speech pleas "towards a broadening of the anti-globalism movement to include divergent and marginalized voices," as the AGAN Web site puts it.

While the tactics are new, the strategy isn't. According to Finkel, a longtime pro-Palestinian activist: "Fascists and racists of all stripes usually strike a pose of 'anti-globalism' and sometimes even 'anti-capitalism,' and anti-Semites in particular pose as friends of the Palestinian people when they feel it will advance their real agenda of promoting hatred of Jews."

In the United States, groups like the White Aryan Resistance and followers of Lyndon LaRouche tried to join coalitions against the Gulf War in 1991, and modern-day "Third Position" groups who claim to be "neither left nor right" simultaneously claim both Che Guevara and Benito Mussolini as inspirations. A few dozen members of Nazi and white-supremacist groups skirted the edges of the anti-WTO protests in Seattle in 1999, managing to conflate themselves with the anti-racist anarchist militants of the "black bloc" in the minds of mainstream anti-hate organi-

zations like the Southern Poverty Law Center and the Anti-Defamation League. Implying cooperation between the two groups, the SPLC asked in a 2000 report, "How is it that members of the far 'left' and 'right' found themselves facing down police together?" The ADL continues to list the circle-A symbol of anarchism as a "general racist symbol" on its Web site.

The National Alliance is also working to exploit continuing fear of terror attacks with a new community-based "terror-free zone" campaign, which calls for an end to U.S. aid to Israel alongside a return to pre-1965 U.S. immigration regulations. The

National Alliance leaflet, being distributed in working-class neighborhoods, says the group will collect names of neighborhood signatories and pass them on to nations in the Middle East. This will ensure, the group claims, that communities signing on will be "declared terror-free zones" and will "not be targeted for reprisals."

Of course, the pro-Palestinian gloss is just that. Before his death earlier this summer, William Pierce, the leader of the National Alliance, told Michelle Cottle of *The New Republic*: "My primary concern is not really for Palestinian freedom or how they run their lives over there—or for the Iraqis." The National Alliance sees Arabs in France and Germany as little more than subhumans who need to be removed from the continent. The post-9/11 shift represents nothing more than the dovetailing of interests of white supremacists and the most extreme Muslim fundamentalists: the elimination of multiculturalism, extreme nationalism and vicious anti-Semitism.

It is unlikely the Nazis will be able to recruit sizable numbers with this latest scheme. "These loathsome neo-Nazi cults are small in numbers and influence," Finkel says, "which is why they act in this parasitic fashion." ■

Dealing with Dictators

Bell Helicopters skirted U.N. embargo to sell to Serbia

By Lucy Komisar

At a time when Americans are concerned about corporate fraud and corruption, another sort of corporate lawbreaking has been revealed in a report prepared for The Hague war crimes trial of former Serbian dictator Slobodan Milosevic: the violation of an international U.N. arms embargo.

According to U.N. investigators, on June 5, 1998, Serbia paid \$154,785 to Bell Helicopter Textron, a Texas company, for spare parts for the maintenance of Bell helicopters. At the time, Serbia was under a U.N. arms embargo—in February, more than a year before NATO bombing began, it had commenced attacks against

Kosovo—but it was in dire need of helicopters and other war supplies.

It got what it needed: Bell Helicopter parts and millions of dollars worth of other materials—through a network of shell companies and secret bank accounts that spread out from the offshore financial center of Cyprus through Greece and some 50 other countries, including the United States.

Bell denies any impropriety in the sale. "The parts we sold were fuselage parts for civil and commercial aircraft," spokesman Mike Cox says. "There were no weapons involved." He said Bell had checked with the U.S. Commerce Department, and "we were told we were in compliance."

Marise Stewart, director of international government relations for Textron, Bell's parent corporation, contradicts that. "We don't have to check with anybody," Stewart says. "In the case of a civilian commercial aircraft or parts sale, there's no requirement for clearance or review."

Asked if there was any discussion inside Bell about the advisability of selling to Serbia, she replied that the only reason

for discussion would be if Bell thought the customer might not pay.

Helicopters are civilian and military dual-use equipment, allowing manufacturers as well as governments to skirt embargo rules. Any helicopter can carry secret police and troops, and civilian choppers can easily be retrofitted for military use. That seems to be what Serbia did. Radomir Markovic, head of the Serbian state security branch—the secret police—told Hague Tribunal interrogators that "We needed to secure foreign currency reserves to provide ... guns for [security branch] helicopters." He added, "I know that the equipment needed by the service arrived."

Markovic's admission shows the Serbs were retrofitting their helicopters for military use. Should Bell have taken into account that Serbia might arm its helicopters? "We do not have any legal requirements to look behind the customer's ultimate intention or motivation," says Stewart.

For something "legal," the Serbs went to a lot of trouble to disguise their Bell spare parts purchases. Hague investigator Morten Torkildsen, a Norwegian forensic auditor, wrote in his June report that the Bell transaction was handled by a company called Abridge Trading, run in Cyprus with an account at the Hellenic Bank there.

Torkildsen said bank documents show that Abridge's primary function was purchase of military equipment for Serbia. Bell officials declined to comment on whether the request for the sale came directly from Abridge or the Serbian government, or to answer questions regarding what it knew about Abridge.

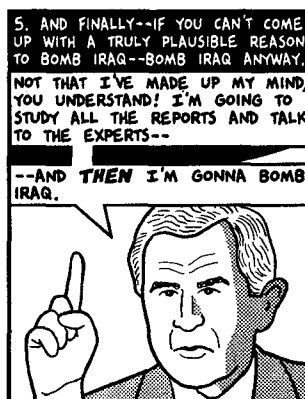
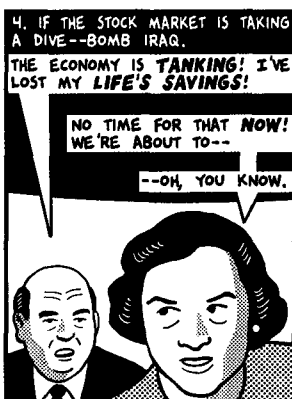
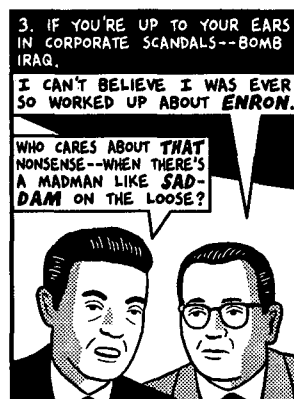
On April 18, 1997, Abridge also paid more than \$1 million through its Hellenic account to AM General Corporation of South Bend, Indiana, to buy 20 Hummer vehicles—the more comfortable version of the Humvee battlefield transport vehicle. That sale occurred during the lifting of the arms embargo (from October 1996 to March 1998) following the ephemeral Dayton peace accords. Asked about the moral implications of the sale, spokesman Craig MacNab says, "The vehicles in question are civilian vehicles. They're just trucks, not tanks or jetfighters."

MacNab says the company sold the Hummers through an agent—that is, Abridge—and, "as I understand, the end-users were companies. Who they were lies

THIS MODERN WORLD

by TOM TOMORROW

ONE YEAR LATER:
WHAT THE
PRESIDENT
HAS LEARNED
SINCE 9-11

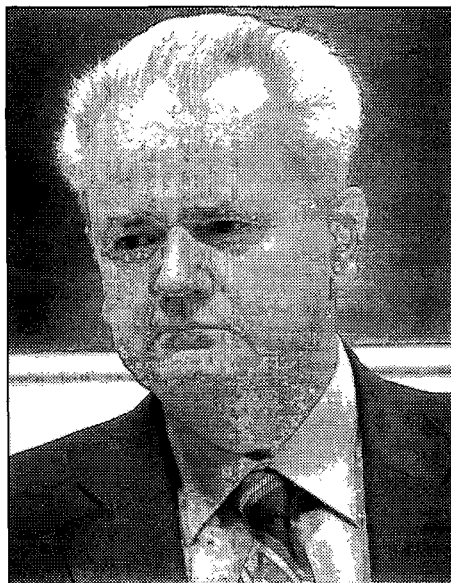


beyond my ken. I have seen correspondence with end-users [who] might have been civilian companies."

To circumvent the embargo, Serbia paid Abridge and other suppliers through eight different shell companies it had set up. To transfer money out of Serbia to Cyprus, Serbian officials physically carried millions of dollars worth in currency, generally wrapped in packing paper, to deposit in Cypriot banks. As Mihalj Kertes, Serbian customs chief at the time, later said, he and other officials brought money to Cyprus, and in return got "a passage to the world." No questions asked.

The money went to Cypriot accounts of the shell companies, and from there to trading companies that arranged shipments with firms in Israel, Russia, Germany and the United States. The weapons, night-vision equipment, armored vehicles and helicopters the money purchased allowed Milosevic to stay in power and carry out the war.

Investigators at the U.S. Treasury Office of Foreign Assets Control believe that at least \$1 billion was moved out of Yugoslavia through Cyprus banks. Torkildsen, the U.N. investigator, found that half a billion dollars was deposited in the accounts of Serbian



Slobodan Milosevic

shell companies between July 1992 and June 2000, and \$250 million in cash from January 1998 to March 1999, during the height of the war in Kosovo.

Under Cypriot law, typical for offshore havens, "nominees"—that is, front men—could be named as directors and shareholders on public incorporation documents.

Only the National Bank of Cyprus had the right to know real owners. But the Serbs also gave the bank phony names, which were routinely accepted. Torkildsen followed the money trail to companies and individuals in more than 50 countries and found large transfers to such secrecy havens as Austria, Switzerland, Luxembourg, Liechtenstein, Singapore, Monaco, Guernsey and the Isle of Man.

The secret financing facilitated evasion of U.N. embargoes from 1994 to the end of 2000, including the last two years of the war in Bosnia and the 1998-1999 conflict in Kosovo, ending only with the demise of the Milosevic regime in October 2000. Torkildsen says, "In my career, I have never encountered or heard of an offshore finance structure this large and intricate."

The Kosovo phase of the Milosevic trial has just ended. The arguments and judgment, of course, will be based on human rights issues, not money laundering. However, the Torkildsen report could help the current Serb government's efforts to recover stolen funds. Because the helicopters are dual-use equipment—and Bell will claim it sold them for civilian purposes—it is almost certain nothing will happen to the company. ■

IN SHORT

Report Favors Shoshone Rights

Nevada natives Mary and Carrie Danns' decades-old land battle with the U.S. government has gotten no less complicated this summer, despite an international court ruling in their favor. In July, the Inter-American Commission on Human Rights found the U.S. government in violation of the human rights of the Western Shoshone sisters, whose grazing grounds have been considered federal property by the government since 1872. The Danns and other Shoshone have for years insisted that the U.S. claim to the land is illegitimate, and that neither they nor their ancestors ever ceded the territory (see "Indian Rights," April 15).

The report marks the first time the commission has passed down a ruling in a case brought by American Indians against the federal government. In its response, the U.S. government rejected the findings in their entirety, claiming that the Danns' case was "fully and fairly" litigated in the United States. The Department of Interior contends the Shoshone were duly compensated for their losses through the creation of a trust fund in 1979, based on the value of the land in 1872. The Danns are disappointed, though unsurprised, by the U.S. response.

Meanwhile, another threat looms: Sen. Harry Reid (D-Nevada) is pushing a bill to force the release of the money in the trust account, a move to officially settle the score with the Shoshone in Congress' view. American Indian activists fear that if the money is distributed, the Danns' case and future land rights cases will become even more difficult to bring to trial, and be taken even less seriously by the federal government.—PK

Court Report

BY PRIYA KHATKHATE AND
BENJAMIN GARVEY

The International Criminal Court entered into force on July 1 and is expected to be in full swing by the middle of next year. While countries with such troublesome pasts as Sierra Leone, Burundi and Cambodia have all signed onto the court, the Bush administration and Congress have been taking steps to dismantle it. "I, for one, do not want to have to look a parent in the eye and explain why their son or daughter is being subjected to an international court on a trumped-up charge of war crimes," Sen. Zell Miller (D-Georgia) said in June.

For the first time, the court establishes international standards by which genocide, crimes against humanity, and war crimes can be judged. On August 3, the administration's fear of the treaty culminated in the signing of the American Service Members Protection Act. Known in Europe as the "Hague Invasion Act," it gives the United States the authority to use military force—that is, invade Holland—to free any American held by the court. This appears to be a poor way to express our concern for the rest of the world. "Unsigning the treaty will not stop the court," said Kenneth Roth, the executive director of Human Rights Watch. "It will only throw the United States into opposition against the most important new institution for enforcing human rights in 50 years."—BG

Lie, Distort, Harass

Anti-abortionists take aim at public schools

By Eleanor J. Bader

Anti-abortionist Neal Horsley is certainly intrepid. Not content to harass abortion providers and consumers through his Web sites, the Nuremberg Files and abortioncams.com, he and his cronies have a new tactic: using laws meant to protect children from child sexual abuse to threaten school boards across the country.

Horsley, along with colleagues at Life Dynamics, a Denton, Texas-based organization infamous for promulgating malpractice lawsuits against abortion providers, have threatened to sue reproductive health centers and public school districts across the country. The charge? Violation of state child abuse reporting statutes.

To hear Life Dynamics' attorney Ed Zielinski tell it, "For an underage girl to seek birth control information or paraphernalia, treatment of a sexually transmitted disease, a pregnancy test, an abortion, or abortion referral is evidence of sexual activity. Knowledge of this by ... a mandated reporter compels that person to file a report with the state. ... Even in circumstances where a mandated reporter has a reasonable belief—or actual knowledge—that the girl's sexual partner is also a minor or that the girl's parents already know about the situation, a report is still legally required. Only the state is allowed to determine whether ... a child's sexual activity is illegal."

Zielinski sent this message to an unknown number of school districts across the country in late June, no doubt hoping to frighten them into submission. The three-page missive was menacing. "If a girl is injured, killed or sexually assaulted while under the care of a family planning service provider to which she was referred by the school, she, her par-

ents, or both may charge the school district with negligently referring the girl to that provider," he warned. " ... A finding of such negligence could result in an award of actual and punitive damages."

At a time of nationwide shortfalls in education funding, the threat may have weight with already shaky boards of education, many of which have wanted to halt comprehensive sex-ed classes and counseling about birth control options for years.

But Roger Evans, an attorney at the Planned Parenthood Federation of America, regards the letter as an irresponsible hoax, one that preys on these inclinations. He charges: "It makes broad statements, [but] that's not what the law says. Reporting requirements ... apply to only a small subset of sexually active teens."

In some states, he says, activity is reportable only if sexual conduct occurs with an adult responsible for the child's welfare. In others, it is only reportable if there is a significant age gap between the

((((((((APPALL-O-METER))))))))

Fat Cat for Life 7.9

In a decade defined by asshole CEOs, Jack Welch was a standout. At General Electric, he pioneered management-through-bloodbath, firing tens of thousands of employees and selling off subsidiary businesses, for which he reaped hundreds of millions of dollars from an appreciative Wall Street.

Now 66, Welch has retired to a life of literary self-aggrandizement and ducal luxury. GE shareholders, in fact, may be surprised to learn how extravagantly their ex-honcho subsists. Consider the following perks, attested to in Welch's divorce proceedings and reported in the *Washington Post*: around-the-clock access to a company-owned Boeing 737, helicopters, and a limousine; a *pied-à-terre* on Central Park, stocked with flowers, food and servants; a late-model Benz every so often; tickets to the Knicks (floor-level, natch), the

Red Sox (skybox), the Yankees (over the dugout), Wimbledon, the French Open, the U.S. Open, and the Metropolitan Opera; memberships in three golf clubs; satellite TV in four different pads; cell phones for five cars.

Oh, he also gets an annual pension of \$9 million.

The Habits of Highly Effective Terrorists 4.5

It was a throwaway literary allusion, perhaps, but enough to make one wish for the good old days, when our spooks were snobs. "Management books talk about learning organizations," an unnamed American intelligence official told the *New York Times*. Osama bin Laden, he continued, "built something that is a learning organization. It is changing and adapting to the loss of its infrastructure."

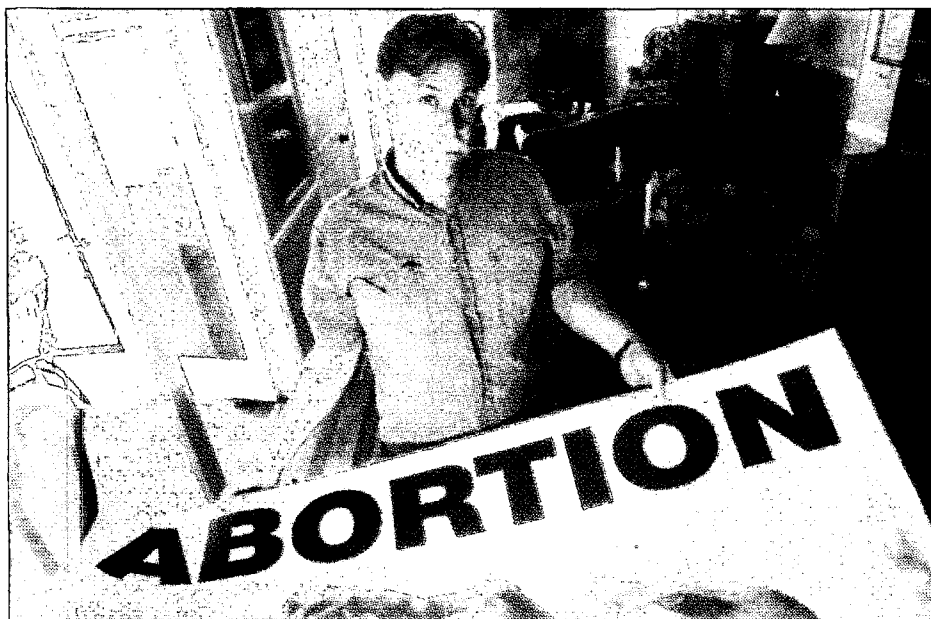
The source declined to comment on how successfully we've moved bin Laden's cheese.

Not Ready to Wear 6.7

Nazi symbols and words made an appearance in this year's fall fashion lines, only to be quashed by public outcry. Target, the popular mass-market retailer, carried a line of skull-laden clothing appearing under the "Eight Eight" label. Eight-eight is a widely known symbol for "Heil Hitler!" (H is the eighth letter in the alphabet). The store pulled the brand after it was publicized by the Web site Tolerance.org.

Meanwhile, Umbro, a popular British maker of sportswear, pulled a sneaker it had planned to introduce called "Zyklon," the name of the gas used in Nazi death camps, after Jewish groups complained. Hip marketers were not the only ones in on the trend. The BBC reports that the German manufacturer Siemens abandoned plans to register "Zyklon" as a trademark for a range of household products, including gas ovens.





Anti-abortionist Neal Horsley.

two. Still other states require evidence of coercion or risk to the minor. Life Dynamics, Evans says, left the laws' actual requirements out of the letter.

But attorney Sara Ainsworth of the Northwest Women's Law Center in Seattle worries that anti-choice lawmakers from conservative communities will use the letter as a pretext for restricting how counselors, nurses and teachers make referrals or teach young people about sex. To forestall such restrictions, center staff plan to meet with district school superintendents this fall to explain reporting requirements and answer questions provoked by Zielinski's missive. They also plan to monitor school board activity to see how seriously school districts take the threat, and whether any lawsuits are actually filed.

In addition, the Northwest Women's Law Center—along with the National Abortion Federation and Planned Parenthood—plans to address clinic staff to ensure they understand their state's often complex reporting mandates.

In Montana, training has been ongoing. Raquel Castellanos Miller, Director of the Blue Mountain Clinic in Missoula, notes that in her state, "the right to privacy is highly held. There is no parental consent requirement before we can treat minors for diseases, prescribe contraception or perform an abortion."

Nonetheless, clinic staff have been trained to detect and report abuse—and

they take the obligation to do so seriously. "We recently saw a girl who told us that she was being molested by her stepfather," Miller reports. "Our counselors called the girl's mother and told her that if she did not report the abuse, we would. The girl was 15. If the mother had not called Child Protective Services, we would have had to."

In California, clinicians do not have such leeway. Since January 1998, the law has mandated that a wide array of people—from health providers to photographic print processors—inform child welfare authorities of suspected malfeasance. "There is a grid indicating what has to be reported," says Dian Harrison of Planned Parenthood Golden Gate in San Francisco. "If a 12-year-old comes in and says she is having sex with a 14-year-old, we have to report it. If she's 12 and he's 12, we don't. It's really cumbersome, but we always comply."

So does every other clinic in the country, says Vicki Saporta, executive director of the National Abortion Federation. She sees Zielinski's letter as a thinly veiled—and disingenuous—effort to discredit abortion providers. "Over the years, Life Dynamics has launched a number of initiatives aimed at harassing clinics and putting them out of business. Their strategy is to make outlandish allegations and hope something sticks. This latest attack ... will only serve to discredit Life Dynamics itself." ■

Dole Drums Liddy's no lover of labor

By Charles Pekow

WASHINGTON—Republicans in North Carolina have overwhelmingly chosen as their Senate candidate the high-profile figure thrust upon them by the party establishment in Washington. If primary winner Elizabeth Dole defeats Democratic nominee Erskine Bowles, former chief of staff in the Clinton White House in November to fill the seat of retiring Republican Jesse Helms, North Carolina will elect an experienced administrator with a long track record of hostility toward workers.

Dole served as secretary of labor during the first Bush administration, one of many cabinet and high-level advisory positions she's held in a career spanning five presidents. But it's her tenure at the American Red Cross, which Dole headed through most of the '90s, that most clearly reveals her attitude toward labor.

Dole's campaign material addresses her accomplishments at the Red Cross, which employs about 32,000 paid staff. (Dole's campaign Web site calls it "an organization larger than many of the Fortune 500.") But it doesn't discuss the hostility to employees she oversaw throughout her time there. As a cabinet official, Dole had to follow civil service procedure when handling employees. At the Red Cross, the gloves were off: Dole presided over the worst hostility to employee organizing in the organization's history.

A review of just one two-and-a-half-year period, from January 1994 to mid-1996, the National Labor Relations Board (NLRB) found 77 unfair labor practice charges against the organization. The complaints alleged everything from threatening and firing pro-union employees to bad-faith bargaining. In 1997, the AFL-CIO Executive Council said, "The Red Cross is acting more like a ruthless Wall Street firm than a time-honored national charity."

As Maureen Ridge, regional director of the Service Employees International Union (SEIU) in Boston, puts it, "We are always getting into fights with them." Her local picketed the Red Cross

in Massachusetts in 1995 over its plan to let less-qualified workers handle blood—something Dole's Red Cross tried to do numerous times, and a common source of union friction with the organization.

Similarly, in 1995, the Southern California Red Cross office informed its truck drivers that "in 60 to 90 days, they would be out of a job" because the Red Cross would subcontract their work "and

dling blood. What if a bag bursts or air gets into the blood?"

Meanwhile, in Maryland, Dole's Red Cross tried to prevent nurses and blood collectors from organizing under the Baltimore-based International Association of Machinists and Aerospace Workers. In 1996, the Red Cross sent fliers to workers' homes warning, "You have something to lose by voting for a union: You can lose good fellowship among employees."



REX BANNER / GETTY

Elizabeth Dole tried to train truck drivers to process blood at the Red Cross.

there was nothing the union could do about it," recalls then Teamsters Union representative Meline Hall. The Teamsters charged that the move violated their contract by bypassing the union and "conveying to employees the futility of being represented by the union." The Red Cross backed off when the union filed charges with the NLRB.

In the mid-'90s, the Red Cross began a program to train clerical staff and drivers to draw and process blood, work traditionally done by lab technicians and technologists—everything from sticking a needle in your arm to testing and storing it. "Naturally, these are people who will not be qualified to do the work," Hall says. "They will have no scientific background; they will have minimum training; they will not understand procedures for han-

Red Cross newsletters reminded workers of the Machinists' racist past. "To be a member you had to be white and you had to be a male" when the union started, one flier read. "Throughout most of its history, the Machinists Union had been led by avowed socialists and communists. However, at the same time, these union leaders have treated themselves to luxury, while seeking to suppress the rights of working members," read another.

The machinists accused the Red Cross of illegally lobbying employees on company time after the NLRB mailed union election ballots. The Red Cross responded that it didn't know when the NLRB mailed the ballots, but the NLRB found the organization had been notified. "They broke every rule in the book," says John Kassakatis, who organ-

ized the drive for the Machinists. "They threatened people over voice mail; they changed people's schedules at the last minute." To avoid dealing with the Teamsters in Baltimore, the Red Cross ordered nurses to drive, load and unload bloodmobiles themselves.

The tactics went on through the end of Dole's tenure. *Teamster* magazine reported in December 2000 that during a campaign to organize nurses, technicians and support staff at Maine Red Cross, managers threatened to stonewall during contract negotiations. In that clash, the NLRB upheld the Teamsters' complaint that the Red Cross illegally proposed to pay union members less than non-members.

If money talks, the North Carolina Senate race is already one of the most heavily fought contests of the year. According to the most recent Federal Election Commission figures, Dole has raised \$9.7 million, more than any Senate candidate in the nation in this cycle. Bowles ranks 11th nationally, with \$5.8 million raised. "I'm sure both candidates will raise and spend more than \$10 million, and it could go much higher," says Marc Siegel, communications director of the North Carolina Democratic Party.

With Congress split 50 to 49 and no overriding national issues distinguishing the parties so far this election cycle, it is likely the Democrats will pour substantial funding, time and energy into winning the seat this fall. *Congressional Quarterly* predicted the contest "will be one of the nation's most watched races."

Thus far, says Ray Riffe of the North Carolina AFL-CIO, organized labor hasn't been very active because it likes to stay out of primaries. But the chapter invited all Senate candidates to its endorsement meeting, Riffe says, and Dole declined. "She said she had a scheduling conflict."

Riffe expects organized labor to actively support Bowles. "There's not one particular worker-friendly act that I can think of off the top of my head that she could be known for," he says of Dole.

Few national employers have presided over such a hostile attitude toward their workers as this Senate candidate. If Dole wins in November, the nation can look forward to a senator from North Carolina for the next six years who will favor big business over its workers on every vote. ■

Banking on Poverty

Predatory lenders take advantage of the poor

By Kari Lydersen

CHICAGO—It was probably the first time that John Edwardson, a board member of Household Financial Services, had his home attacked by inflatable sharks. But that's what happened on June 30, as hundreds descended on Edwardson's spacious home in a wealthy suburb of Chicago with the sharks, noisemakers and other props.

The crowd, made up of members of the national community organization ACORN (Association of Community Organizations for Reform Now), accuses Edwardson of being a "loan shark" because of Household Financial's record of predatory lending.

Every year, tens of thousands of families around the country are sucked into predatory loans—losing an estimated \$9 billion in 2001, according to the Coalition for Responsible Lending. Predatory loans feature deceptive terms and marketing practices—extremely high interest rates, hidden fees, unnecessary refinancing—and they're especially prevalent in the "subprime" lending market, a term that refers to those with bad credit who can't get loans from conventional banks.

Predatory lenders rely on aggressive marketing techniques such as making unsolicited phone calls and personal visits, and many borrowers report approaching an agency for one type of loan and being talked into accepting a much larger one. "I didn't understand what I was getting into," says Jessie Montano, a 94-year-old Chicago woman who in 1998 was talked into borrowing an extra \$16,000 in cash she hadn't originally wanted as part of a predatory mortgage loan. Montano ended up seeing only \$2,300 in cash after the exorbitant fees and taxes, yet she still had to pay off the whole loan at high interest rates, and almost lost her home. "I listened to the wrong people," she says.

Another form of predatory lending is the "payday loan" industry. Often nameless storefronts that offer garishly displayed promises of easy cash, sometimes

"in 15 minutes or less," payday lenders essentially advance someone their paycheck—at an interest rate that can vary from 500 percent to 2,000 percent.

Payday lenders are banned in at least 19 states, and other states have ceilings on interest rates. But they find ways to get around regulations, setting up shop in foreign countries or in states with loose regulations and lending all over the country via the Internet.

While some predatory lenders are fly-by-night companies that constantly change names and locations, the bulk of predatory lenders are huge, apparently legitimate companies and their subsidiaries. ACORN has made Household Financial, one of the country's largest lenders, a target of its anti-predatory lending campaign because of what ACORN leaders describe as the lender's particularly insidious practices. These include targeting the elderly, sticking people with numerous loans rather than consolidating them and locking people into contracts that prevent them from selling their houses.

Citigroup, through its subprime subsidiary Citifinancial, is also responsible for a vast number of predatory loans. Many student groups and nonprofits around the country have aimed campaigns at Citigroup since the company merged in November 2000 with Associates First Capital, another company notorious for widespread predatory lending practices.

In recent years, cities like Cleveland, Chicago and Oakland have passed local ordinances curbing predatory lending. Safeguards include bans on hidden fees, restrictions on unnecessary refinancing, and mandatory counseling for prospective borrowers. Several states, including North Carolina and Georgia, have also passed anti-predatory lending legislation. Federal legislation is a goal for ACORN and other advocacy groups, such as the Coalition for Responsible Lending and the Woodstock Institute.

In July, Household Financial, Citigroup and other major lenders agreed to voluntarily cease offering single-premium credit insurance, meant to prevent default on a mortgage in case of injury or death that



CATHERINE MAY / ACORN

ACORN members protest Household Financial at the lender's annual shareholders meeting.

must be paid in one lump sum up front. If a borrower can't pay, they end up getting stuck with high interest rates over a long period of time—even though the coverage rarely offers anything not included in more affordable, standard life insurance.

Lenders claim that if they weren't willing to offer large loans to "high risk" customers, a significant part of the population would have no access to credit at all. Many in the payday loan industry say that they are only offering a service to people who need it, and that they shouldn't be held responsible for people's overall dire financial conditions.

But advocacy groups respond that companies are taking advantage of low-income people who already live in precarious economic circumstances. "We're not done with them yet," says Minnesotan Gary Coy, who received two predatory loans from Household Financial. "Until they make everyone's loans right, I'll keep fighting."

The real problem, activists say, is that so many people are living paycheck to paycheck without a safety net. They are financially victimized, not just in the subprime lending market, but across the spectrum of economic services. "The thing we can't forget here is that what we're really talking about is plain old poverty," says Marva Williams of the Woodstock Institute. "The fact is, in our economy, too many people just don't have enough to live on." ■

BY THOMAS P. HEALY

Resisting Regime Change

Perhaps it's a sign of these bizarre times that the country's most outspoken critic of the Bush administration's plan to invade Iraq is an avowed hawk. For several months now, ex-Marine Scott Ritter, who served as the chief U.N. weapons inspector in Iraq until 1998, has relentlessly presented arguments against invading Iraq in talks around the country, in op-ed pieces in major newspapers, and on radio and television. You won't find the 41-year-old son of a career Army officer putting flowers in the ends of gun barrels, but his blunt, forceful arguments might be persuasive enough to gain wider attention for opposition to the administration's press toward war. Ritter spoke with *In These Times* during a visit to Indianapolis.

CHARLES JENKS / TRAPROCKPEACE.ORG



Former U.N. weapons inspector Scott Ritter: speaking out against war on Iraq.

What are your main objections to a U.S. invasion of Iraq?

I am not a peace activist. I am not a pacifist. I am a warrior. I loved the Marine Corps—we stood for serving our country! But there is a time and a place to fight to defend this country. We must defend our country if we are threatened. If Iraq has weapons of

mass destruction, then clearly Saddam Hussein must be dealt with. But we are not at risk from weapons of mass destruction from Saddam Hussein—there's no evidence.

If the United States unilaterally invades Iraq, we will go to war as a rogue nation ourselves and join the short list that includes North Korea, which invaded South Korea, and Saddam Hussein, who invaded Kuwait. And I don't want to be on that list.

In 1991, at the end of the Gulf War, the United Nations set up a special commission to monitor the destruction of Iraq's missiles and weapons of mass destruction. How effective were the U.N. inspectors?

UNSCOM inspectors were the best forensic investigators in the world. We were pretty good at doing our job. By 1996 we were able to ascertain that 90 to 95 percent of Iraq's capabilities were destroyed. When Richard Butler came on board in 1997, we had already fundamentally disarmed Iraq.

Then you were kicked out.

Saddam Hussein didn't kick out the U.N. inspectors. They were ordered out by the U.S. government, which then used information they provided to bomb 100 locations that had nothing to do with weapons of mass destruction. So the weapons inspectors were used by the United States. This is the reality: When Madeleine Albright called up Richard Butler and said, "Jump!" Richard Butler always said, "How high?" It was obvious from day one.

After you resigned from UNSCOM in August 1998, you testified before Congress that if inspectors were removed from Iraq, they would have the capacity to reconstitute weapons of mass destruction. Isn't that a legitimate concern now?

Just because Iraq has had time to do bad things doesn't mean they've done them. Iraq

must be found to have weapons of mass destruction.

Do economic interests play a factor in the war effort?

Talk to any businessman about Iraq. This is the worst thing for business. This is stupid. Actually, oil prices are going up.

Iraq is currently pumping to capacity based upon the available pumping technology. But if they upgraded their capacity, they could double or triple output. Amer Muhammad Rasheed, the Iraqi oil minister, has plans for Iraqi oil production that are very ambitious.

American oil companies right now are playing it both ways. We have American oil executives going to an Amman, Jordan, meeting with Iraqi government officials to discuss a post-sanctions environment. You also have American oil companies sitting down with Ahmed Chalabi, the Iraqi opposition leader, talking about a post-regime economic environment. And they come from the same company. So they're hedging their bets.

So why the headlong rush to war?

I think this is more about the people surrounding George W. Bush—Donald Rumsfeld, Paul Wolfowitz, John Bolton, Richard Perle—who have committed their political and intellectual capital to regime removal. They've invested in this so much that they've boxed themselves into a rhetorical and ideological corner where they have no ability to maneuver. We've trapped ourselves with our own rhetoric, with our own speculations, with our own ideology, our own politics. I think that's what this is all about. This is about politics.

If any other head of state used the term "regime change" it would be called terrorism.

It *is* terrorism.

As you travel the country, what level of awareness do you see in the American people about this issue?

I think the vast majority of Americans are just tragically ignorant—not just about Iraq, but about the rest of the world as a whole. They are susceptible to the kind of propagandistic manipulation that's taking place. ■

TIME TIDE

*The business world
hasn't been this ripe
for change since
the 1930s, and the
labor movement
is on the offensive*

BY DAVID MOBERG

For more than a quarter century, corporate America has been on a roll, winning greater influence over both political parties, deregulating business, weakening unions, redistributing income to the elite and writing corporate-friendly rules for a more global economy. Despite protests and misgivings, there was widespread public acquiescence. Big business, or at least "the market," was good. Big government was bad.

But the tide has turned, at least in public opinion. Enron's collapse was the turning point, but the succession of scandals drove the lesson home. The opportunity—and publicly perceived need—for reforming the power and place of corporations in American life hasn't been as great since the '30s. The big question is whether a social movement will emerge from this shift to turn the balance of power and make government an instrument for the public good, not the profit of the corporate elite.

Unfortunately, the current political line-up could hardly be less favorable. The country has the most pro-corporate president in history (and both the president and vice president personally profited from corporate abuses). The House is dominated by Republicans who are right-wing ideologues. The Senate is narrowly controlled by a Democratic Party that—with some honorable exceptions—has willingly sold its soul to corporate interests in a cynical, "me too" scramble for political gain that now leaves the party lacking both the credibility and the will to respond aggressively to popular demands to challenge corporate power and misdeeds.

As the political opportunities have opened over the past year, however, the labor movement has emerged as the single most important champion of corporate reform. Rev. Jesse Jackson and Ralph Nader, especially through his Citizen Works organization, have also played important roles, but their grassroots base of support is not as large. At the same time, there has been a burst of support for unions, even from workers who hadn't showed much interest before, and better prospects for the greatly expanded wave of organizing that unions desperately need.

The AFL-CIO has taken the lead, organizing actions to help victimized workers from Enron and WorldCom, educating union members and the public, pushing Congress and regulatory bodies for new rules, and pressing stockholder actions. Some individual unions—like UNITE (the clothing and textile workers)—also have been active, but responses have been uneven. To succeed with a long-term campaign, however, the labor movement needs a broader alliance with diverse constituencies, going beyond the usual suspects, and it also needs new strategies to take advantage of the new organizing opportunities.

Recent polls capture the dramatic shift in opinion. In July the Gallup Organization found that 38 percent of Americans consider big business to be the "biggest threat to the future of the country," the highest figure in 48 years of polling. In a survey for the AFL-CIO, Peter Hart Research found that 39 percent of Americans have a negative view of corporations (and 30 percent

positive), compared with just a year earlier when 42 percent had a positive view (and 25 percent negative)—a massive reversal.

At the same time, Hart found that 50 percent of nonunion workers say they would vote yes (with 43 percent voting no) in a union representation election in their workplace, a sharp increase from the 42 percent who said they would vote for a union a year ago. Even the pro-management Employment Law Alliance found that 58 percent of Americans surveyed supported unions organizing more workers, 73 percent favored mandatory representation of workers on corporate boards, and 84 percent wanted pension funds to hold corporations more accountable.

Earlier this summer, labor lobbying and public sentiment pushed through a first step in corporate and accounting reform sponsored by Sen. Paul Sarbanes (D-Maryland). In the weeks before its fall recess, Congress seemed likely to vote on at least two other initiatives that unions have pushed—reform of 401(k) employee savings plans and protection for workers in bankruptcy proceedings (giving priority to workers' claims for more back wages and recovering excessive executive pay, like the \$100 million in "retention bonuses" given top Enron execs just before bankruptcy).

In another labor-backed bill, sponsored by Sen. Ted Kennedy (D-Massachusetts), employers who do not provide a traditional pension with defined benefits would, if they establish 401(k) plans, have to protect workers from employer pressure to load up imprudently on company stock. Equally important, the measure would require all plans to give elected employee representatives an equal voice with management in running the funds.

Although employer groups adamantly oppose both provisions and Democrats are divided—with Sen. Max Baucus (D-Montana) allying with Sen. Charles Grassley (R-Iowa) to promote a weaker bill—public pressure could force Republicans to protect employee retirement. Congress also might require or encourage companies to treat executive stock options as expenses, as many corporations have decided to do already, and close the loophole that encourages companies to reincorporate in Bermuda to avoid U.S. taxes.

The labor movement also has taken its fight to the courts, stockholder meetings, the campaign trail and the streets—including Wall Street, where AFL-CIO President John Sweeney delivered a hard-hitting attack in late July on "21st century corporate pirates ... [who] plundered our companies by replacing long-term prosperity with short-run insincerity."

Having just succeeded in helping Enron workers win \$34 million in severance in bankruptcy proceedings, Sweeney then pledged to pursue a similar lawsuit on behalf of WorldCom workers. By early September, WorldCom succumbed and asked its bankruptcy court to make full severance payments to workers.

AFL-CIO leaders, joining with Machinists who protested at the headquarters of Stanley Works,

forced the company to reverse its plans to reincorporate in Bermuda. Joined by UNITE President Bruce Raynor, they also demanded that Fidelity Investments (a top shareholder in Enron, WorldCom, Halliburton and other corporate scofflaws, as well as the largest provider of employee 401(k) plans) regularly disclose how it votes on shareholder proposals.

In mid-September, the labor federation also launched television ads in targeted districts. One attacked members of Congress who voted to give big corporations—including Enron, even as it was undergoing multiple investigations—hundreds of millions in tax credits. The other attacked legislators who voted for the 1995 Private Securities Litigation Reform Act, "kicking open the door to corporate abuse." The AFL-CIO also has planned a range of corporate accountability protests for October 19, keeping the issue alive during the elections.



Things are looking up for labor.

Ben Barile, 42, is part of that shifting public opinion. A middle manager at WorldCom, Barile was laid off in June, then denied his promised severance pay and health insurance when the company declared bankruptcy. He lost all of his 401(k) investment, and he was at great financial risk because of the cost of medicine for HIV. After a friend directed him to the AFL-CIO Web site, he left his e-mail address and was soon contacted and encouraged to join in legal action organized by the federation to win employee severance and health payments. He recalled how years earlier managers had told him that they had "cut away the cancer" in crushing an incipient union organizing effort. Now, recognizing that, as a group, workers are stronger and less afraid to speak up, he's ardently pro-union. "I think the next job I'd like to get would be a union job," he says. "I'd like someone behind me and fighting for me, instead of me fighting by myself."

The labor movement demands public accountability for corporations, says Ron Blackwell, AFL-CIO corporate affairs director, and that means proper regulation, not just pleas for responsibility. Accountability must cover ever-widening concentric circles of corporate organization. "Right in the middle of the picture is the chief executive officer," Blackwell argues, "with enormous conflicts of interest—doing good for me or good for the company." Corporate pay and stock options give CEOs incentives to pump up the value of the company's stock and then dump their holdings for personal gain. Besides expensing stock options, Blackwell argues, grants of options should be linked to superior performance, and executives should be forced to hold their stock as long as they have the job. Better yet, they should be required to buy an equity stake and hold it, sharing in the risk that stockholders have.

The next ring of power, the board of directors should have a majority of independent directors (which the New York Stock Exchange will now demand of companies it lists). Executives shouldn't be able to use corporate money to elect directors, while leaving shareholders to raise their own funds to campaign for their representatives.

Then come the shareholders, whose votes should be binding on executives, not just advisory. In yet other circles are the auditors and security analysts, whose conflicts of interest proved so critical in the stock crash. Congress needs to reverse deregulation and restore the New Deal-era Glass-Steagall Act, which separated different sectors of the financial services industry. Next there is the cir-

cle of product markets and financial markets, where deregulation (of the energy markets, for example) or lack of regulation (as in the financial derivatives market) also wreaked havoc.

Finally, there is the circle encompassing workers. According to Blackwell, there are ongoing discussions within the AFL-CIO about demanding some form of direct worker role on corporate boards. "American workers, as employees, have no required role in

**"I'D LIKE SOMEONE BEHIND ME
AND FIGHTING FOR ME INSTEAD
OF ME FIGHTING BY MYSELF."**

the governance of companies," he notes, "which makes it all the more important for them to have rights to organize as employees. Reformed labor law is important not just because it's a human right, but because it would be part of corporate accountability."

But beyond their roles as employees and, quite frequently, as shareholders, workers also have a stake as citizens. A grand public debate over the power and character of corporations could prove crucial in bringing about the "emerging Democratic majority" that political analysts John B. Judis and Ruy Teixeira foresee in their valuable new book of the same name. But it could also make that majority a progressive force to tame corporations that have dominated American life for too long. ■

AFL-CIO's Soviet-Style Elections Cause Deep Freeze in Leadership

The AFL-CIO Leadership Crisis

New from The Labor Educator. This hard-hitting booklet exposes a major reason why the AFL-CIO has failed to grow: its stagnant national leadership.



At the AFL-CIO's 2001 convention, the three top officers and the 51-member Executive Council were re-elected by voice vote for four more years, despite a decline in membership and a series of legislative failures in their preceding six years in office. There were no opposing candidates because the election rules are so rigged that any challenger is certain to suffer humiliating defeat. Since Council members are assured of automatic re-election, they can ignore criticism, because they are not accountable to anyone.

Harry Kelber, a veteran labor commentator, describes how this "self-perpetuating oligarchy" maintains its power and the harm it causes unions and their members. On the positive side, he notes that there is a new breed of union leaders arising from the AFL-CIO's 30,000 locals. They are well-informed, articulate and effective spokespersons for labor on both economic and political issues. Even seasoned labor activists will find new insights in this frank analysis of the AFL-CIO's leadership crisis and what must be done to resolve it.

Harry Kelber's weekly LaborTalk column appears on www.laboreducator.org. His phone number is 718 858-7728. His e-mail address is: hkelber@igc.org

Booklets \$4 per copy, bulk rates available. Order forms and more information: laboreducator.org

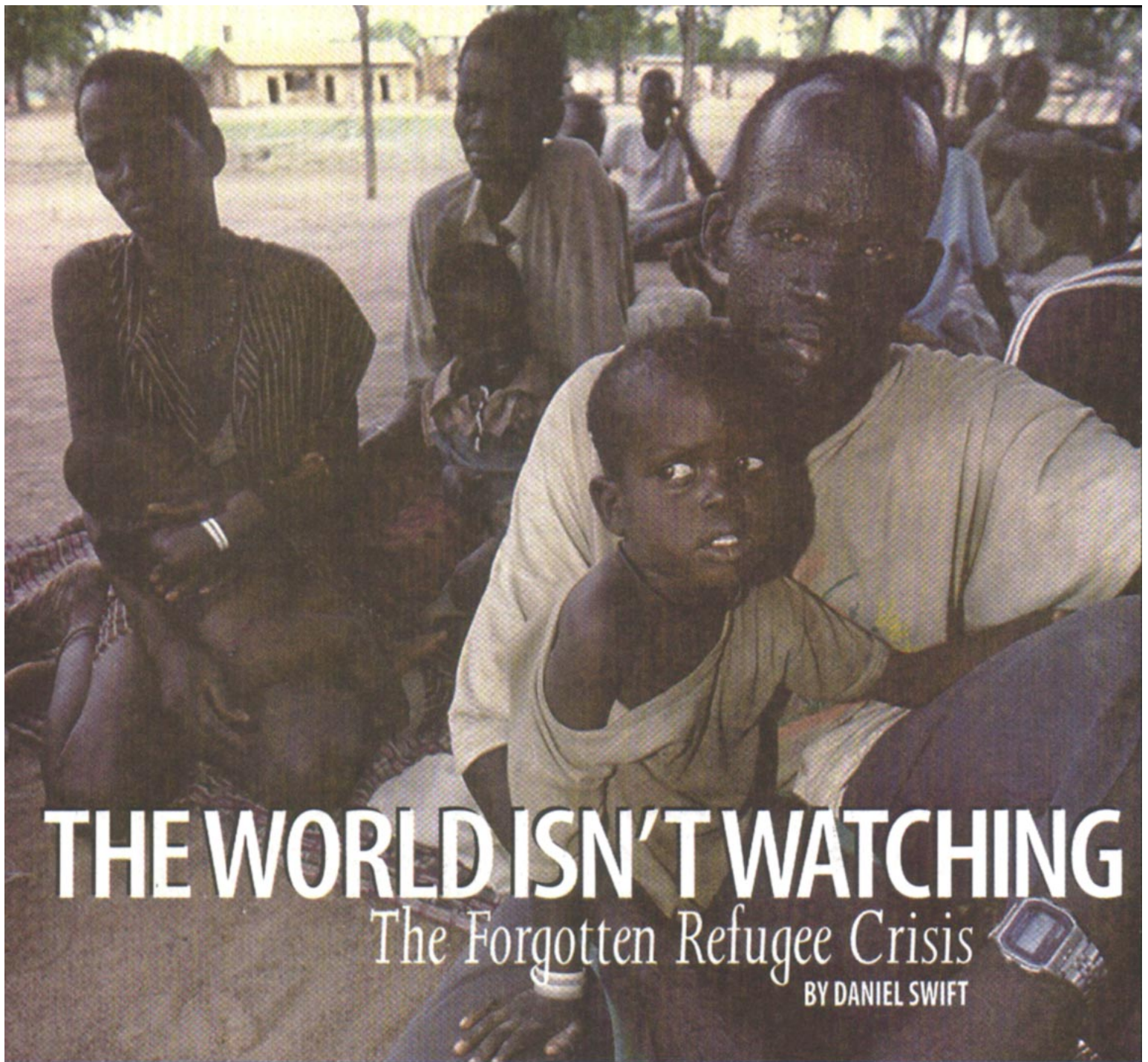
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THE WORLD ISN'T WATCHING

The Forgotten Refugee Crisis

BY DANIEL SWIFT

JASON PAYNE/ PICTUREDESK INTERNATIONAL

CAIRO, EGYPT

Cairo is where asylum seekers come, fleeing Africa's agonies. In the spring of 2001, 21 Sudanese child slaves arrived here. A group of Texas-based missionaries bought their freedom to save them from forced conscription in Sudan's civil war. International Christian Concern paid \$25,000 to the children's keepers; southern Sudan's bloodthirsty rebels, the SPLA, siphoned off a little along the way, as did the ICC's agents in Sudan. When Sudanese officials discovered what was going on, another bribe was paid. The children came to Cairo in small groups by train. "We wanted to enable them to be relocated to a place where they would be safe and have an opportunity to pursue their dreams," says Dane Welch, one of the organizers.

This moral cause is noble but sadly inadequate. The great powers of the West, specifically the United States, need a new

policy toward refugees. Although richer countries should acknowledge their moral responsibility for poorer ones, post-September 11 America needs to rethink its attitude toward refugees for more pragmatic reasons as well.

The children—the youngest is now 9, the oldest, 19—have been here for a year. Stranded in Cairo, they sleep on floors, some nights on the streets; they do not attend school. In their boredom and desperation they have become diffident and wary, suspicious of the aid that foreigners can give, and yet entirely dependent on it. And these children are the lucky ones. Cairo is full of African refugees who are not so fortunate to have the sympathy of international organizations.

No one knows how many refugees there are in Cairo. To be recognized as a refugee, one must go through the U.N. High

Commission for Refugees, whose Cairo office deals with people from 27 African countries. According to UNHCR, there currently are 8,700 recognized African refugees in Cairo; they have a backlog of 16,000 more waiting for their interviews, with a thousand new registrations every month. Thousands of others—perhaps as many as half a million—have been rejected by UNHCR and are now trapped, unable to go home. More arrive every day.

Some numbers you can hold on to—there are 56 Liberians in Cairo, for example. But the Sudanese are uncountable. In the slum called “Four and a Half” at the edge of the desert, there are as many as 600 Sudanese families, and there are slums like this all around the huge city. The majority of the asylum-seekers in Cairo are fleeing Sudan’s 40-year war.

The 1951 U.N. Convention on Refugees states that the international community will grant refugee status to protect those who have crossed a border and can prove they face persecution in their home country. UNHCR is bound by its mandate to grant status and protection to all those who can prove a well-founded fear of persecution; the two reasons it gives to reject refugee status are “no well-founded fear” or “lack of credibility.” If your story is not good enough—that is, not horrific enough—your fear is insufficient; if your story is too good, then perhaps you are lying. In a single interview, which may last only an hour, the asylum-seeker has to perform their wretched story of persecution and violence, and they have to perform it according to an exacting standard that many simply do not understand.

The three major countries that accept refugees from UNHCR for resettlement are the United States, Canada and Australia. But after 9/11, resettlement stopped. Canada and Australia began taking refugees again in January 2002; the United States started a month later. But they remain wary of refugees, says Vincent Cochetel, head of UNHCR in Cairo, and numbers are down. Last year, just under 2,000 were resettled from Cairo, down from 3,000 the year before. The target this year is 2,050, but less than half that number have been resettled. September 11 renewed America’s suspicion of foreigners; the delays in processing and resettlement are part of a larger trend as the Western World turns against its human rights obligations.

Each year, the United States, Canada and Australia declare a quota of refugees they will accept from the Cairo office; every year, UNHCR fails to fill that quota, and yet it still turns refugees away. Why? “If we had greater capacity, we could process more people,” Cochetel says. “But we do not have capacity. We are not a resettlement factory.”

The biggest problem that UNHCR faces in Cairo is a lack of money. Unlike most other U.N. agencies, UNHCR relies upon donations by individual countries for its funding. Over the past four years, Cochetel says, UNHCR Cairo’s budget has decreased by 44 percent, but the number of refugees they are expected to deal with has risen by 41 percent. New delays in processing time since 9/11 mean that more refugees are dependent on UNHCR aid. But with no additional funding, UNHCR has been forced to cut back funding for programs that cover medical costs and give extra aid to pregnant women. “We cannot pay for school as well as housing,” says Cochetel, even if both are basic needs.

The U.S. Committee on Refugees estimates there are more than 14 million refugees and asylum seekers in the world. But in

humanitarian circles, funding is subject to what’s fashionable. “Since September 11 and the war in Afghanistan, there are new conditions which are conducive to refugee settlement in that part of the world,” Cochetel explains. “One million refugees have been repatriated to Afghanistan this year. The donors’ interest is focused on Afghanistan: This is the largest refugee community in the world. But the funding that goes there has to come from somewhere else: Resources are not elastic.”

International aid organizations are interested in making the news—wars and earthquakes are better stories than infrastructure and democratic institutions. Even Afghanistan is underfunded. “The attention of donors shifts as soon as you move from immediate emergencies to the gray zone between an emergency and reconstruction,” says Emma Bonino, former commissioner for humanitarian affairs for the European Union. “Reconstruction is not sexy.”

By August, UNHCR Cairo had spent all of its budget for 2002. This means, in the simplest terms, that there are thousands more refugees waiting in Cairo. For them, the city is a chaos of agencies. If you’re a Christian, or can pass as one, you can pick up a meal at one of the church organizations, like Musa’adeen, an almost art-deco complex whose courtyard is always full of tall, thin, scarred Dinkas from the Sudan. If you’re Muslim, or don’t mind memorizing the Quran, you can sleep in the hostel at Al-Azhar, Cairo’s massive Islamic seminary. If you’ve been accepted by UNHCR and granted refugee status, a U.N. organization will give you a little money—in theory, UNHCR gives about \$40 to each refugee every month, depending on family size and need. But every refugee I quoted these figures to simply laughed. If you’ve been refused by UNHCR, maybe you can pick up night-time work in one of Cairo’s tourist restaurants; but when your shift ends, there’s no guarantee they won’t refuse to pay you, as it is against the law to hire illegal aliens.

On the streets of Cairo, the refugees face the racism of Egyptians, as well as the fear of arrest by state security. “If we are not able to take people out,” Cochetel says, “the refugee community becomes more visible and fuels feelings of racism in the community. The phenomenon of rejection and hatred is definitely on the rise here.”

For the refugees, the post-September 11 paranoia in the West has a very real effect. In Nasr City, on the outskirts of Cairo, there is a dusty old concrete building falling down at the edge of the desert. Everyone who lives nearby confidently reports that this apartment complex was built by Osama bin Laden; the Somali refugees who live in it came to Egypt to study Islamic law at the Al-Azhar seminary. Like thousands of refugees in Cairo, they live waiting for the currents of international affairs to decide their fate.

The great Western powers have a moral obligation to this lost generation, but they also have a simple political interest. Since September 11, the Western world’s hardening paranoia has had a terrible effect on the daily lives of forgotten people across the world. And America still wonders why they hate us. In Cairo, among the refugees, all the failings of the West are played out. ■

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Mary Quite Contrary

The outgoing U.N. High Commissioner for Human Rights isn't leaving quietly

BY IAN WILLIAMS



OLEG NIKISHIN / GETTY

United Nations

When a meeting of diplomats, non-governmental organizations and writers convened in 1997 at U.N. headquarters to consider how to commemorate the upcoming 50th anniversary of the Universal Declaration of Human Rights, one option was rejected unanimously. There would be no attempt to redraft or update the document, because a new version would surely be weaker.

To the fundamentalists in the U.S. Congress and other parts of the world, international human rights was like something said by Humpty-Dumpty in *Through the Looking Glass*: When he used a word, it meant exactly what he wanted it to mean, no more and no less. When the Israelis killed Palestinians in Hebron several years ago, for instance, the U.N. statement assigned no blame, regretted the Palestinian deaths and hoped for peace.

But 1997 was also the year that Mary Robinson, the former president of Ireland, took office as the U.N. high commissioner for human rights—and when she used the phrase human rights, it meant exactly what it should. Robinson's statement on the Hebron killings condemned the Israelis and said they should abide by the Geneva Convention. On her watch, human rights would come to mean a lot more inside the U.N. bureaucracy than ever before.

After the Berlin Wall fell, there had been a brief period of consensus, culminating in the 1993 Vienna World Conference on Human Rights, which called for the appointment of the first U.N. high commissioner for human rights. The next year, José Ayala Lasso, a highly unmemorable Latin American diplomat, got the job. Perhaps the defining moment of his tenure was creation of a "Human Rights Fax Hotline" to report human rights violations. Then a persecuted peasant in Central Africa could run bleeding through the bush to his nearest post office, where government officials, in return for the equivalent of a month's salary (if the phones were working), could obligingly send his

complaint fax to Geneva, where it would curl up on the floor with thousands of others—to be ignored.

Things changed when Robinson accepted U.N. Secretary-General Kofi Annan's job offer: She brought a sense of urgency to the position, along with the authority of a recently retired head of state. This upset the type of U.N. bureaucrats who would much rather file reports of massacres at the bottom of a cabinet than upset governments of any hue. But for Robinson, human rights transcended national affiliations. Just because China was big, or Israel had friends in Washington, was no reason for her to stay silent.

Robinson recalls: "I got very wise advice from a friend of mine when I started—'Mary, remember, if you get too popular in that job, it means that you're not doing a good job.' So I didn't actively seek to be unpopular, but I knew that to do the job well ... you've got to be prepared to criticize both developed and developing countries."

While her outspokenness won her many friends at human rights organizations, governments were more uncomfortable. She transformed her position into that of a real international ombudsman, one who delivered withering judgments without fear or favor. This certainly was not appreciated in Washington—and the Bush administration actively opposed an extension of her term. "Robinson paid a price for her willingness to stand up to powerful governments that violate human rights," says Reed Brody of Human Rights Watch. "She has set a standard of candor and strength for future high commissioners, and we are sad to lose her as an ally."

In the end, it was almost certainly her criticism of the United States and Israel, in particular, that cost her the job. "It's ironic in a way," Robinson told *In These Times*, "because the issue I'm most committed to is the integrity of the human rights agenda, and shaping it so it's not politicized. I applied that faith-

fully to addressing the problems both in the occupied Palestinian Territory and in Israel."

She worries that in the United States, people "don't see the suffering of the Palestinian people; they don't see the impact of collective punishment. They do immediately see and empathize—and rightly so—with the suffering of Israeli civilians who are killed, or injured, or just frightened. ... But I find it very disheartening that there is not more understanding here of the appalling suffering of the Palestinian population."

Robinson's days have been numbered since last year's conference on racism in Durban, South Africa, when the United States and Israel walked out to protest language in the draft agreement aimed at Israeli activities in the Occupied Territories. But the Bush administration seemed to hold her personally responsible for the rest of the world staying to the end. "I urged and begged the United States and Israel to stay," Robinson says. "I told them that all the draft language, which was unacceptable, would be taken out—and it was."

The Durban conference, though somewhat chaotic, expanded definitions of racism and offered support to many people who previously did not have much of a voice. "I think we achieved an extraordinary breakthrough in Durban against all the odds," Robinson says. "I was in Mexico for the first of the follow-up regional conferences from Durban, and it was a joy to see how much it means for countries in Central and South America, Mexico, Brazil, Chile, the way it has brought new hope for indigenous peoples, for people of African descent, for black Brazilians."

September 11 gave the United States yet another reason to ignore the results of international conventions like Durban—and indeed to ignore its own Bill of Rights. Robinson is very concerned about a deterioration of human rights since the terrorist attacks. Citing the examples of immigration detainees and Guantanamo Bay prisoners held by the United States, Robinson complains, "Governments are using [the terrorist attacks] to clamp down on human rights and freedom of expression. Human rights defenders are branded as terrorists; the climate is harsh for asylum seekers and refugees."

Despite this setback, she remains hopeful. "I think that the international human rights norms and standards have a contribution to make to a more ethical globalization. We have the international norms and standards; we have the treaty bodies working more effectively; we have the rapporteurs; there's an ability to name and shame; it's accepted that human rights don't stop at borders. If there are violations in a country, the international community is rightly interested."

Robinson is particularly optimistic about the development of an International Criminal Court. "I really think the International Criminal Court is an extraordinary step forward—a way of symbolizing that we are going to end impunity for egregious human rights violations. It may take time, but now there

is going to be a permanent court, and you can be brought before it if you haven't been before a national court."

But once again, the United States is standing in the way. The Bush administration "unsigned" the treaty creating the court, passed what opponents are calling the "Hague Invasion Act" (authorizing the president to use military force to rescue Americans held by the court), and has threatened to veto every U.N. peacekeeping mission unless U.S. officials are guaranteed immunity. "Now if other countries are under pressure on human rights instruments they've signed," Robinson worries, "they may say, 'Well, if the U.S. can unsign a treaty, then so can we.'"

Mary, remember,
if you get too
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Looking back at her tenure, Robinson is most proud of helping to change the developing world's attitude toward human rights. "I was quite taken aback by how many leaders of developing countries told me, 'Don't you know human rights is just a Western stick to beat us with? It is politicized, nothing to do with real concern about human rights.'"

Recognizing that there was "an element of truth in that," she has defended the idea, unpopular with the neoliberal consensus of the last decade, that economic and social rights are integral to the protection of political rights, invoking the "express vision and mandate of the establishment of the High Commissioner's office, which was to seek consensus on the right to development. That's an individual and a collective right, the right of the people to gain the full flower of their human rights."

She claims one consequence of her success is that there is "more linkage being made by leaders of developing countries between human rights and economic and social devel-

opment. They began to realize that if you got your human rights right, you accelerated human development and economic development."

She says the crucial issue now is "national capacity building"—building the infrastructure of efficient governance, courts and non-governmental organizations, that is needed to build societies based on rights in the developing world. She plans to devote her time to that project, now that she is quitting what she calls, with a smile, "the day job." The day before leaving office, Robinson announced plans to head a new project called the Ethical Globalization Initiative.

In July, Kofi Annan named Brazilian Sergio Vieira de Mello as Robinson's successor—a choice she applauds. Although a U.N. insider, de Mello is not necessarily the pushover that the United States would like. Coming from a stint as head of the U.N. mission in East Timor, he was also outspoken during the Balkan wars. Perhaps it says a lot about how the world has changed—with Mary Robinson's help—that a U.N. human rights commissioner has to fear being undermined by Washington more than China or a Third World tyrant. ■

Ian Williams is the author of *The U.N. for Beginners and a frequent commentator on foreign affairs.*

Lula's Last Chance

By Kenneth P. Serbin

Brazil will choose among four left-leaning candidates in the first round of its presidential election on October 6. But don't expect revolutionary change or the adventurous, authoritarian populism of Venezuela's Hugo Chávez, as some in Washington fear. The Brazilian left has fully embraced political pragmatism and seeks realistic solutions to the country's problems. The new Brazilian left will reform—not attack—capitalism.

This pragmatism stems from the difficult Latin American context. In the past year, Brazil and its neighbors have experienced a level of instability not seen in more than a decade. Argentina's economy and currency collapsed as the country went through five presidents in just two weeks amid angry public protests. Uruguay is also in economic trouble. In Venezuela, the opposition tried to overthrow the democratically elected Chávez. In Colombia, president Álvaro Uribe pledges to step up the war against the drug trade and guerrilla forces. Brazil struggles to pay its huge internal and external debts and remains one of the most unequal societies on the planet.

A bellwether of Latin American politics, Brazil started a rash of authoritarianism in 1964 and began the trend back to democracy in the mid-'70s. The outcome of the 2002 election will deeply influence how Latin America deals with social problems that affect the entire hemisphere.

Obligated by law to vote, Brazilians seem apathetic about the election, but they are hungry for change. President Fernando Henrique Cardoso's government admirably stopped chronic hyper-inflation and helped improve the lives of some of the poor. But Cardoso's policies slowed growth and increased unemployment. The president spent key political capital seeking reelection in 1998 rather than pushing through long-needed political, economic and social reforms. By this summer, Cardoso's economic strategy had left Brazil virtually broke, forcing it to negotiate a record \$30 billion debt-assistance package with the IMF that will hamper future plans for social progress.

Thus it is no surprise that all four of the major candidates—Ciro Gomes, José Serra, Anthony Garotinho and frontrunner Luís Inácio Lula da Silva, popularly known as “Lula”—come from the left or have strong ties to it. Each has the support of former revolutionaries who fought against the military regime. The right has no candidate. It will be relegated to supporting Serra or Gomes as the “anti-Lula” in a likely runoff in November. But Lula, Serra and Gomes have also shown a strong attraction to the center and unabashedly have sought support on the right in the quest for power.



In his spirited presidential campaign, Brazil's veteran working-class leader has been befriending formerly sworn enemies. Will pragmatic compromise pay off, or will it splinter the Brazilian left?

Lula is the most emblematic case of moderation and compromise. Lula and the Workers Party (PT) defended socialism and other radical positions throughout the '80s, and he lost on oppositionist platforms in the presidential elections of 1989, 1994 and 1998. This time, however, Lula is a centrist bent on winning. One of his first actions was to hire Duda Mendonça, a political marketing specialist who previously worked for the notoriously ultraconservative Paulo Maluf. Mendonça has helped soften Lula's radical image.

Lula then forced the PT rank and file to accept José de Alencar, a businessman from the conservative Partido Liberal (PL), as his running mate. Lula has cultivated contacts in the armed forces and openly courted business and banking leaders. He has the support of former President José Sarney, whom the PT once vociferously opposed. The PL includes politicians from the controversial Universal Church of the Kingdom of God, an archenemy of Lula in 1989 and anathema to Lula's progressive Catholic supporters.

The PT also has withdrawn its support for an informal, anti-imperialist plebiscite on the oft-criticized Free Trade Area of the Americas. Lula has underscored the defense of private property by distancing himself considerably from the radical methods of the Landless Peasants Movement.

Finally, Lula publicly approved of the loan from the IMF, an unthinkable move for the PT in the past. He met with Cardoso to show his support, though he criticized the president's economic model for deepening Brazil's dependence on the IMF and called for tax reforms to stimulate the economy. Rather than radicalize, Lula struck a pose as a statesman.

Today, the PT's brand of socialism is more an ideal than a concrete program. "Socialism is a utopian project, a longterm project," says Dominican friar Frei Betto, a long-time friend of Lula. "Lula did not join any of the historical currents of socialism," adds Gilberto Carvalho, his chief of staff. Carvalho is careful to point out that although Lula has a "historic friendship" with Fidel Castro, he believes Cuba should democratize. Lula will seek not antagonism but negotiation with the U.S. government, Carvalho emphasizes. Lula's makeover leads many to doubt his sincerity. But his willingness to risk alienating his traditional radical base indicates that the changes are for real.

To govern effectively, Lula and the PT will have to produce results quickly to win the confidence of all social classes. Solving Brazil's growing problems of urban violence could point the way to success. Extreme crime during the Cardoso years created a deep sense of insecurity among Brazilians and invited comparisons with social breakdown in countries such as Peru and Colombia. Violence also signaled that Brazil's informal racial and social apartheid was still strong. Fueled by drug trafficking, organized crime has created a virtual parallel government in Brazil. The traffickers influence not only the police, but the mass of poor urban youths lured into the trade. Organized crime has also profited from the business of kidnapping for ransom, and it controls prison life. The most powerful organization, the Primeiro Comando da Capital of São Paulo, now projects itself as a political organization.

The murder of two popular PT mayors in the past year shocked the party and drove home the point about the need for public safety. Always a favorite theme of right-wing politicians, security now ranks among the top concerns of leftist leaders, who for years dismissed crime as eradicable simply through the redistribution of wealth. Crime has taken on a life of its own in Brazil, and the left has finally awakened to the need to combat it with more than ideology.

At the national level, Lula and the PT want to beef up the Federal Police, who are responsible for combating organized crime and drug trafficking. The PT's security plan also calls for demilitarizing the military police; unifying them with civilian cops; eliminating the separate court system for the police; creating a national crime database; and modernizing and profes-

sionalizing woefully backward facilities and investigative techniques. The PT also wants to establish a national minimum wage for police, whose low pay only encourages corruption. The party says its crackdown would also include prosecution of rampant government corruption and tax cheats.

But under Lula, public safety would take on a social face. The PT security plan puts special emphasis on policies for children and young adults. Public safety means raising healthy, well-fed children, stopping the widespread practice of child labor, and creating opportunities for sport, culture and leisure in the teeming peripheries of the large cities. Three decades ago, the Brazilian generals proclaimed the relationship between national security and economic development. Today the PT affirms that "police efficiency and human rights are mutually dependent."

This is likely Lula's last chance at the presidency. This former lathe operator would defend the masses, but also strive to act as a sensible veteran politician who can govern all Brazilians fairly without resort to extremism. If Lula loses, Brazil's most solid political party could splinter because of his many electoral compromises and thus create a significant realignment in Brazilian politics. If Lula wins, the big question will be whether pragmatic politics will ultimately allow him to carry out even the most basic of reforms. ■

Kenneth P. Serbin teaches Latin American history at the University of San Diego and is the author of three books on Brazil. He is writing a book on the Brazilian left.

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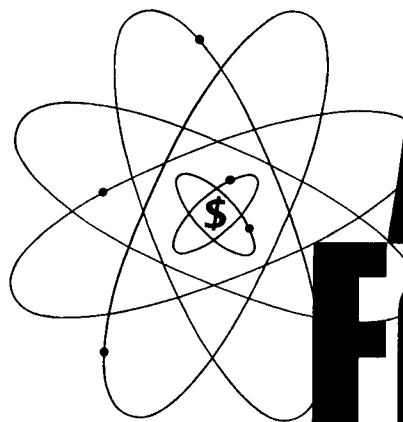


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Atomic Economics

By Hugh Jackson

The only way new nuclear power plants can make a profit, according to the Bush administration's blueprint for nuclear power policy, is if corporations are allowed to capture and then gouge consumers. Naturally, that's exactly what the White House proposes to do.

The administration's "Nuclear 2010" program, an effort to subsidize the development of new nuclear power plants by the end of the decade, is the atomic component of the Bush-Cheney energy agenda unveiled last year. The administration requested \$38.5 million for the 2010 program in its fiscal 2003 Energy Department budget. Bush's funding request has cleared House and Senate committees with relative ease, and the full chambers will vote on appropriations bills this fall.

The Department of Energy announced in June that as part of the 2010 initiative, it will subsidize Dominion Energy, Entergy and Exelon as they evaluate and get approval for sites where new nuclear plants could be built. The Senate, meanwhile, adopted an amendment in the massive energy bill it passed last spring to create an office to oversee the 2010 program and effectively enshrine the proposal in law. House and Senate versions of energy legislation are in conference.

Like other Bush administration energy proposals, their nuclear energy program is public policy by and for corporations. The program is based on a report prepared for the DOE by the Near Term Deployment Group (NTDG), a panel co-chaired by executives from nuclear powerhouses Duke Energy and Southern Nuclear Operating Co. Of the panel's 13 members, at least 10 are either directly employed by the nuclear industry or have consulted for it.

Though prepared by corporate executives and sycophants, the NTDG's report—titled "A Roadmap To Deploy New Nuclear Power Plants in the United States by 2010"—is remarkably candid about the numerous economic reasons why new nuclear power plants should not be built. Summing up the folly of new plant construction, the Bush administration's blueprint states that "economic viability for a nuclear plant is difficult to demonstrate."

The panel estimates that new plants could cost as much as a staggering \$2,128 per kilowatt of electricity generated. Natural gas fired plants, by comparison, are likely to top out under the most expensive scenarios at \$682 per kilowatt. Even the NTDG's lowest estimate comes in at \$1,000 per kilowatt of generating capacity—46 percent higher than the highest estimate to build a gas-fired plant. Using a more realistic cost of gas-fired plant construction of about \$500 per kilowatt—a cost for which, unlike nuclear power, there is a track record in the real world—a nuclear plant project built under optimum circumstances would still cost twice as much as building a gas-fired plant. (Not surprisingly, the NTDG does not

give serious consideration to renewable energy supplies or conservation, the single most effective contributor to meeting energy needs over the last three decades.)

Massive up-front capital requirements scare investors away, the blueprint explains, and investor enthusiasm for new nuclear power plants is virtually non-existent. Investors are right to be wary, the NTDG adds, because nuclear power plants take a long time to build; and by the time they actually start generating electricity, more power may be available on the market, rendering the new plants even more of an economic white elephant.

So rather than giant nuclear plants, the NTDG suggests, perhaps the industry's future lies with little nuclear plants, specifically so-called pebble bed modular reactors. The reactor fuel in these plants is inside graphite-coated, billiard-ball-size pebbles instead of rods; and instead of heating water to turn a steam-generated turbine, the reactor would use pressurized helium to drive compressors attached to a generator. Touted as both safer and less expensive to build than traditional, massive, water-cooled reactors, these comparatively smaller gas-cooled reactors get star billing in the administration's Nuclear 2010 plan. Of eight designs for new nuclear reactors identified as "near term candidates" in the 2010 report, the pebble bed modular reactor "is the only one for which there is currently a potential customer actively involved and investing in the plant's development."



But Exelon, the mother of all nuclear power corporations and the “potential customer” referred to in the NTDG report, recently walked away from a pebble-bed demonstration project in South Africa. Prior to September 11, boosters contended that a pebble bed was so safe it could be built without a containment dome, effectively and dramatically slashing plant construction costs. Now the notion of building a nuclear reactor without a containment dome is more ludicrous; and there are several other lingering uncertainties associated with the pebble-bed design, not the least being the threat of all that combustible graphite catching fire. The Nuclear Regulatory Commission (NRC), which had begun analyzing the technology in anticipation of a design application, has put that work in mothballs.

That leaves giant reactors. The NTDG analyzed economic competitiveness of several large-scale reactor designs, including the Westinghouse AP-600 and AP-1000. Those reactors now appear to be the most likely candidates in the Nuclear 2010 initiative. But Westinghouse estimates that an AP-1000, the cheaper of the two thanks to economy of scale, would cost \$1,657 per kilowatt of electricity generating capacity—more than three times the going rate for gas-fired plants.

Will the market price of electricity cover the costs of such an expensive project? The NTDG doesn’t think so, at least not in the short term. “A problem still exists regarding high generation cost requirements early in life that might exceed likely market prices,” says the panel’s report. “One potential solution to this problem may include obtaining power purchase agreements *above market prices* during the early years of operation, this price *subsidy* to be returned later in life when adequate price-cost margins have accumulated.”

In other words, consumers would be forced to buy power from the new nuclear plant, even if other, lower-cost options are available. Such purchase power agreements could be foisted on hapless consumers by state or regional regulators. But even then the new plants would need millions in taxpayer subsidies. And the public absolutely, positively must be locked out of the permitting and approval process, lest pesky questions about safety, security or other issues get raised that could delay construction and produce that historical staple of nuclear power plant development—the giant cost overrun.

Now is a particularly outrageous time for government regulators to muzzle the public on an industry’s behalf—or even to ask the public to trust the NRC. The NRC is facing several investigations for letting Entergy’s Davis Besse reactor in Ohio operate for years while aware of signs that acid deposits might be eating away at the reactor vessel head. By the time a softball-sized cavity in the head was finally discovered earlier this year, the only thing preventing a high pressure coolant release—and a potentially Toledo-free Ohio—was 3/8 of an inch of stainless steel. An unscheduled shutdown of a nuclear power plant costs the company money, and the NRC was putting profit ahead of public

safety. “Closest brush with disaster since the 1979 Three Mile Island accident,” observed one former member of the NRC.

But Bush is embracing new nuclear power plants anyway. By doing so, he is proposing heavy-handed government command and control of electricity markets to enrich nuclear power corporations, with consumers footing the bill. In the process, the administration would give an unfair advantage to nuclear corporations and stack the deck against competing energy sources, including alternative and renewable sources.

The Nuclear 2010 blueprint prepared by the NTDG attempts to rationalize the economics of nuclear power plants by asserting repeatedly that, despite the frightening economics of nuclear plant construction, the projects will be competitive over the long term. There is nothing in the history of the commercial nuclear

power industry to buttress that claim. On the contrary, the economic track record of nuclear power plants is characterized chiefly by cost overruns, unexpectedly high operation and maintenance costs, expensive unscheduled shutdowns, and an overall failure to perform competitively. As recently as 1999, the NRC was predicting early retirement for nuclear plants because the plants couldn’t compete economically.

In fact, nuclear utilities themselves spent the last several years going to great lengths to convince regulators in state after state that nuclear power plants could not compete with other energy sources in a deregulated electricity environment. The corporations were fighting to ensure that as states deregulated their markets, electricity consumers—not nuclear power corporations—would get

stuck with the lingering debt on nuclear plants. Such “stranded costs” are estimated to have cost consumers tens of billions of dollars nationwide, including \$28 billion in California alone.

That explains why the industry and its political apologists would consider building new nuclear power plants even though they don’t make economic sense. Taxpayers and consumers can always be relied on to bail out the industry. The industry was created by government, and government has propped up nuclear power ever since through subsidies, tax breaks and other supports. Washington has always guaranteed nuclear corporations a return on their investment, no matter how misguided. There is no reason to believe that government coddling is going to end anytime soon, particularly not under this administration or, sadly, today’s unabashedly pro-nuclear Congress.

There is another path. Congress could protect consumers from getting saddled with the costs of hulking, inefficient and dangerous nuclear power boondoggles by simply cutting off the spigot of public money and government handouts to the nuclear industry. The DOE’s industry-written map will only lead consumers down a road to rip-off. ■

Hugh Jackson works for Public Citizen’s Critical Mass Energy and Environment Program.

**With its promotion
of nuclear power,
the Bush administration
puts contempt for
consumers on
glowing display.**

Death Is Different

By Craig Aaron

So much has been written and said on the topic of capital punishments," editorialized the *Philadelphia Repertory* newspaper in 1812, "that it looks like presumptive vanity to pursue the topic

The Death Penalty: An American History

By Stuart Banner
Harvard University Press
385 pages, \$29.95

Machinery of Death: The Reality of America's Death Penalty

Edited by David R. Dow and Mark Dow
Routledge
304 pages, \$17.95

Report of the Governor's
Commission on Capital Punishment
State of Illinois
208 pages

Though the death penalty remains entrenched—46 prisoners have been executed so far this year—opponents again find themselves in a moment of optimism, where capital punishment appears on the verge of collapse. In recent months, Maryland joined Illinois in imposing a moratorium on executions; the number of wrongly convicted Death Row inmates who have been exonerated since 1976 now tops 100; in public opinion polls, even after 9/11, support for capital punishment is declining. This summer saw the Supreme Court take its strongest action against capital punishment in decades, outlawing the execution of the mentally retarded and throwing out death sentences imposed by judges without a jury's consent. Conventional wisdom says the justices are having second thoughts because of shifting public sentiment. As a former solicitor general told *Time*: "Of this aspect of the

any farther." Yet nearly 200 years later, the death penalty remains one of the nation's most contentious and widely debated issues, both inside and outside the courtroom; every year brings dozens of new books on the subject as well as countless op-ed columns, law review articles and judicial opinions on every facet of capital punishment.

For just as long, it seems, opposition to the death penalty has been nearing the tipping point, that moment when public opinion will turn irreversibly against state-sanctioned killing. "Humanity and reason are likely to prevail so far in our legislature that a law will probably pass in a few weeks to abolish capital punishment in all cases whatever," Benjamin Rush, a leading American opponent of the death penalty, predicted in 1793, voicing an enduring conviction that executions would be a casualty of progress.

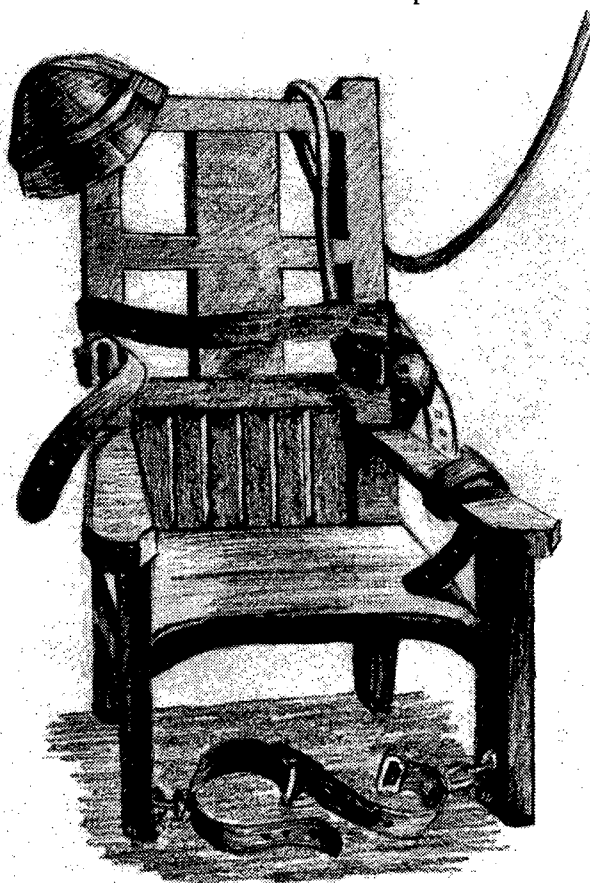
Constitution, the Supreme Court is a follower, not a leader."

Indeed, over the past two centuries, the U.S. criminal justice system has gone from being the envy of Alexis de Tocqueville to the enemy of Amnesty International. The rest of the civilized world abolished the death penalty years ago, leaving the United States in league with China, Saudi Arabia and the Taliban. How did we get to this point? Exploring the history of capital punishment in this country not only helps explain the paradoxes of the American death penalty regime, but offers clues as to how death penalty opponents might finally abolish this peculiar institution.

In his invaluable and exhaustively researched history, Stuart Banner traces the evolution of "the way Americans have understood and experienced the death penalty." He begins in Colonial times, when death was widely considered the appropriate punishment for murder as well as lesser crimes such as burglary and horse thievery. "Executing a fellow human being was just as momentous in the seventeenth and eighteenth centuries as it is today," writes Banner, a law professor at Washington University in St. Louis. "But because of the institutional structure and prevailing religious beliefs of [the] time, capital punishment could serve a broader set of purposes."

Before the advent of the prison system, the death penalty was the primary option for dealing with crime, "the base point from which other kinds of punishment deviated." Because the ultimate penalty often seemed too harsh, last-minute reprieves became common; lesser infractions sometimes were punished with bizarre mock hangings—where the condemned stood in the noose for an hour before being released. More heinous offenses, however, might warrant burning at the stake or gibbeting—the suspension of a corpse in an iron cage, where it would rot in public. Rituals like these emphatically demonstrated the power of the state.

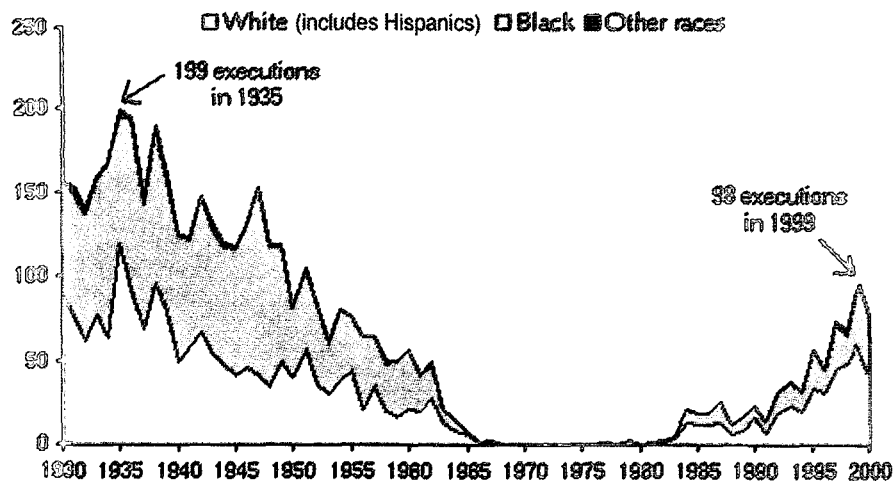
Execution then—and well into the 19th century—was a public event with its own pomp and circumstance. A popular spectacle for



STANISLAVA DIMITROVA

Persons Executed in the U.S. by Race, 1930-2000

Of the 4,544 persons executed in the U.S. from 1930 to 2000, 2,174 were white (including Hispanics), 2,314 were black and 56 were of other races.



Source: Bureau of Justice Statistics

family entertainment, the crowds at an execution sometimes numbered in the tens of thousands. The dramaturgy surrounding an execution was crucial, Banner explains. "The ceremony permitted what might otherwise have been paradoxical: the ritual display of violence as a means of dramatizing the community's disapproval of violence."

In early America, there was little controversy over whether the death penalty was too severe a punishment. That began to change by the end of the 18th century—at least in the North. As Enlight-

When states moved the gallows out of public view, executions lost their symbolic meaning.

enment ideas spread to the realm of criminal justice, the notion took hold that criminals—increasingly seen as sick rather than evil—could be rehabilitated. Thus prison became the standard means of punishment, and many states outlawed capital punishment for lesser crimes. "In no country is criminal justice administered with more mildness than in the United States," gushed de Tocqueville in *Democracy in America*. "The Americans

have almost expunged capital punishment from their codes."

Reformers of the 18th and 19th centuries questioned the morality and efficacy of the death penalty. But strikingly absent from the public debate was any discussion of inequality. Few southern states limited their death penalty statutes, and the exceptions did so only for whites. In 1856, Virginia counted 66 capital crimes for slaves, but only one—murder—for whites. Unsurprisingly, blacks were hanged in numbers far out of proportion to whites, even without counting the lynchings that surely outnumbered legal executions. (Of course, long after emancipation, the death penalty would continue to operate as a means of racial control.)

In 1846, Michigan became the first state to abolish the death penalty for murder, and most states in the North seriously considered such a move. Public opinion on the issue became sharply split. Six states would abolish the death penalty before the turn of the century, and another nine states abolished the death penalty by 1917 (though seven would reinstate capital punishment before 1920). "For every state that abolished capital punishment during the first two decades of the century, there were two that came close," Banner writes. "There was often little separating the

states that abolished capital punishment from those that did not. A single well-publicized case could be enough to tip the balance."

This reform era marked a transformation in the way Americans perceived—and carried out—the death penalty. Northern elites increasingly viewed public executions as unseemly, low-class affairs that riled up dangerous elements. Soon women were banned from attending hangings. Then states moved the gallows out of public view and conducted executions behind prison walls. In the process, Banner argues, executions lost their symbolic meaning as rituals of collective condemnation.

At the same time, the technology of executions was changing. Hanging came to be seen as too cruel, and states began to search for "technology [that] would make the death penalty more humane by making it less human." This development centralized and "privatized" executions, Banner argues, further transforming the meaning of capital punishment. The electric chair (and later the gas chamber and lethal injection) required trained specialists to operate the machinery, which was usually housed in remote locations; the idea of executions as a visual deterrent had been abandoned (indeed there have been only two known photos taken of the electric chair in use).

The search for a more humane method of execution led to some absurd moments. In one priceless anecdote, Banner tells the story of how Thomas Edison tried to use the electric chair to secure a bigger share of the electricity market. Edison funded development of a chair using alternating current—the technology of his chief competitor, George Westinghouse—reasoning that nothing would better demonstrate its danger than the state using it to kill criminals. Banner writes:

One of Edison's associates would later suggest *westinghouse* as an appropriate noun for the device and a handy verb to describe the process in which it would be employed. Just as French criminals were *guillotined*, he reasoned, American criminals could be *westinghoused*.

Later Westinghouse would secretly hire lawyers to defend William Kemmler, the first inmate scheduled for electrocution, arguing that the chair constituted cruel and unusual punishment. They lost.

The annual number of executions in the United States peaked in 1935 at 199. The last year with more than 100 executions was 1951. The death penalty's popularity declined in the following years, due to a combination of falling crime rates, a better-organized political opposition, and a high-profile series of controversial capital cases. By 1966, opponents of capital punishment outnumbered supporters in opinion polls for the first and last time.

In 1968, also for the first time, not a single person was executed. There were no executions the next year either, though 143 defendants were sentenced to death. Why the discrepancy? "Many more condemned criminals were appealing their cases to higher courts than ever before, and many of them were winning," Banner explains. "Appeals, not public opinion, put a temporary end to capital punishment."

Banner characterizes this phenomenon as the "constitutionalization" of capital punishment. Whereas the fight against the death penalty previously had been waged on the political front, the battle in the latter half of the 20th century would be fought through litigation, most notably in a series of landmark cases before the Supreme Court. An especially fine section of the book details the behind-the-scenes maneuvering among lawyers, clerks and justices at the Supreme Court before capital punishment was declared unconstitutional in 1972. "These death sentences are

Over the past two centuries, the U.S. criminal justice system has gone from being the envy of Alexis de Tocqueville to the enemy of Amnesty International.

cruel and unusual," Justice Potter Stewart famously observed in one of nine separate opinions issued in *Furman v. Georgia*, "in the same way that being struck by lightning is cruel and unusual."

The sentences of most of the country's Death Row inmates were vacated (in Arkansas, the electric chair was unplugged and used for giving haircuts). But the stay of executions didn't last very long. Politically, capital punishment proponents were galvanized by the *Furman* decision. States quickly redrafted their death penalty statutes to address a majority of the court's concerns about the arbitrary application of the death penalty. Within three years of *Furman*, more death sentences were being imposed than ever before. In 1977, Utah's Gary Gilmore became the first to be executed under the new court-sanctioned scheme.

Periods of abolition have always been followed by periods of sharp diminution in the strength of the abolitionist movement," Banner writes. But this time capital punishment came back with a vengeance. Banner aptly titles the final chapter of his book "Resurrection": The end of the century would see a resurgence of capital punishment, with record numbers housed on Death Row and annual execution totals unseen since the '50s—peaking at 98 in 1999.

Whether capital punishment actually deterred crime had become largely irrelevant. The public seemed hungry for retribution—polls showed nearly three-quarters consistently supporting the death penalty—and the politicians were more than happy to oblige. Looking to get "tough on crime," prosecutors sought more death sentences, and judges (especially at election time) crowed about carrying them out. Legislators passed laws—culminating with the 1996 Anti-Terrorism and Effective Death Penalty Act (AEDPA)—that severely curtailed federal *habeas corpus* appeals. The abolition movement was on the ropes, a few lonely nuns holding candlelight vigils outside the prison gates.

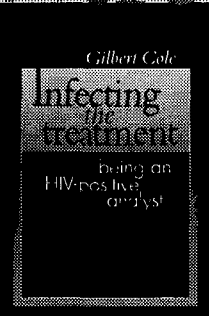
The tide has turned again in the past few years. But it remains to be seen whether growing concerns about the death penalty—largely spurred by the harrowing examples of the wrongly convicted on Death Row—represent a sea change or a stalemate. Support for capital punishment,

Infecting the treatment

Gilbert Cole

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in the abstract at least, remains high. But the debate over the death penalty has shifted from the question of right or wrong to whether the system can be fixed.

Answering that question—or, more specifically, “what reforms, if any, would ensure that the Illinois capital punishment system is fair, just and accurate?”—was the mandate of the special commission appointed by Gov. George Ryan after he imposed a moratorium on executions in 2000. Illinois had executed 12 people since the reinstatement of capital punishment; but 13 others on Death Row were exonerated and released, including Anthony Porter, who had come within 50 hours of execution before a group of journalism students and a private investigator stumbled upon the real killer.

In a two-year study, the 14-member group looked closely at these miscarriages of justice and all 275 capital decisions handed down since reinstatement of the death penalty (more than half of which were reversed at some point in the appeals process). In April, the commission released their comprehensive report, a document that surely will serve as a model for other states examining their own flawed systems. The final report contains 85 specific recommendations, many of them highly technical, that cover every stage of the process: investigation, arrest, trial, sentencing, appeal. The most important and sensible recommendations include:

- Videotaping all police questioning of suspects—not just confessions, but the entire interrogation process.
- Revising the methods and procedures for conducting lineups and photo spreads of potential suspects, to avoid false-positive identifications and undue influence by investigating officers.
- Limiting the number of circumstances under which a defendant is eligible for the death penalty; and creating a statewide commission to review and approve local prosecutors' decisions to seek the death penalty.
- Instituting minimum training and experience standards for capital defenders. (The single most important factor in

determining whether someone will be sent to Death Row is the quality of his lawyer.)

- Disallowing death sentences when a conviction is based solely on the testimony of a single eyewitness, a jailhouse snitch or an accomplice; and mandating a life sentence if a judge doesn't concur with the jury's recommendation of the death penalty.
- Creating an independent forensics laboratory not under police supervision;

done little to advance—let alone finance—any of these recommendations. In fact, the legislature sent the governor a bill to expand the death penalty to cover terrorists. The moratorium remains in place, but George Ryan is a scandal-plagued lame duck, and there's no guarantee his successor will continue his crusade. That increases speculation that Ryan might commute the sentences of all 160 inmates on Death Row before he leaves office.

But even if the legislature were to implement all of the recommendations, the state still couldn't guarantee that someone innocent wouldn't be executed. In fact, a narrow majority of the commission itself ultimately favored abolishing capital punishment entirely.

Abolition is the only honest conclusion anyone who studies capital punishment can reach, say the journalists, lawyers, students and social workers featured in *Machinery of Death*. “Take any route you like into death row,” Christopher Hitchens writes in the foreword to this collection of articles, essays and interviews. “There is no emerging from such a place with any demand save that it be demolished.”

The book takes its name from Supreme Court Justice Harry Blackmun's declaration, after years of trying to fix the capital punishment system, that he would “no longer tinker with the machinery of death.” The contributors to this volume, edited by law professor David R. Dow and

journalist Mark Dow, all have witnessed the capital punishment system first-hand. More than one chapter describes watching a prisoner the authors have come to know taking his final walk toward the execution chamber.

Machinery of Death is ultimately less than the sum of its parts. The chapters tend to be repetitive, and the book's disjointed organization distracts from its important conclusions. But several pieces do stand out, such as Ken Silverstein's exposé of the Alabama criminal courts and the personal reflection of Bud Welch, a death penalty opponent whose daughter



Only two known photos have been taken of the electric chair in use. One appeared on the front-page of the *Daily News* in 1928.

expediting the access of defendants and their attorneys to DNA evidence; and increasing funding for independent crime labs to deal with the growing backlog. (In Illinois, the average time of completion for DNA testing is 16.5 months.)

Such reforms are long overdue and could help save lives. Better yet, most of these measures would ensure a fairer system not only in capital cases, but for all criminal defendants (and they'd help the prosecution be sure the actual culprits are in custody).

Unfortunately, the Illinois legislature, which reconvenes in November, has

was killed in the Oklahoma City bombing, upon his visit with Timothy McVeigh's father.

Then there's the case—so quickly forgotten—of Gary Graham, the almost surely innocent man executed by George W. Bush in Texas during the 2000 campaign. Graham's story, retold here by his attorneys, is a microcosm of everything wrong with the death penalty system—from police misconduct and unreliable eyewitness testimony to disgraceful lawyering that not only failed to mount a defense, but set up insurmountable legal obstacles on appeal.

But complicity in Graham's death must be shared by Congress and President Clinton: Concerned that the federal courts were reversing too many state-imposed death sentences, they passed the draconian AEDPA. That law gave finality—that is, being sure a prisoner couldn't delay his execution by repeatedly returning to court—greater weight than actual innocence. "In a historic and tragic irony,"

Mandy Welch and Richard Burr conclude, "when public awareness about the flawed processes for imposing the death penalty first dawned and began to grow dramatically, the law governing the review of state death penalty cases in the federal courts had so constricted the federal court's review that the risk of executing innocent people had increased exponentially."

This is a tragedy, to be sure. But it may also represent an opportunity. Issues of innocence, fairness and racial inequality have clearly resonated with the public. As former Mississippi prison warden David Cabana tells Mark Dow: "Americans are never going to abolish the death penalty because they are morally objecting to it. They are going to abolish it because we have an innate sense of fairness."

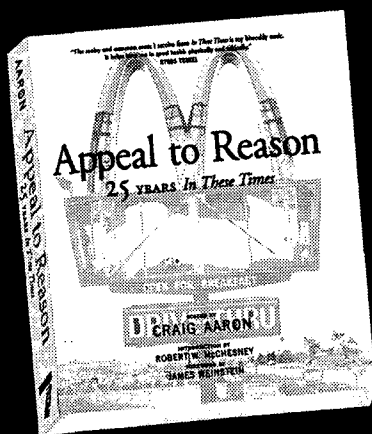
The capital punishment system is clearly broken beyond repair. Death penalty opponents long have focused their energies on the courts, because political success seemed impossible. That tactical

decision wasn't wrong: The most effective opponents of the death penalty have been defense lawyers. But abolitionists cannot depend on the whims of the Supreme Court. The dismantling of the death penalty regime will come only as a result of a monumental shift in public opinion.

That demands a return to the political struggle: organizing on the local level, highlighting the plight of the wrongly convicted, challenging the scare tactics of the politicians and prosecutors, arguing loudly and publicly that the death penalty is morally wrong, racist, unconstitutional—in short, whatever works—and then striking capital punishment down legislature by legislature, state by state. (Illinois would be a good place to start.)

Opponents have been waiting more than 200 years for reason, humanity or due process to do away with the death penalty. But it won't happen without political pressure. If capital punishment is on the verge of collapse, then perhaps all it needs is a little push. ■

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A House in Disorder

By Joseph Nevins

While researching her new book, *Doméstica*, Pierrette Hondagneu-Sotelo attended the funerals of three children of domestic workers. Two

**Doméstica: Immigrant Workers
Cleaning and Caring in the
Shadows of Affluence**
By Pierrette Hondagneu-Sotelo
University of California Press
341 pages, \$19.95

died in a fire with their mother in their apartment, and one fell from the balcony at her public housing project. She sees these deaths as “neither accidents of fate nor the result of parental abuse, but rather tragedies of poverty.” Had their mothers earned better wages, she contends, they would have had safer housing, and the deaths might have been prevented.

Hondagneu-Sotelo’s own mother worked as a *doméstica* in her native Chile and in the United States. The daughter grew up to be a sociology professor at the University of Southern California. Now she employs a Salvadoran woman to clean her house on a bi-weekly basis. While the presence of domestics is a sign of growing opportunities for American women, including the author of *Doméstica* herself, the fact that these same women are almost exclusively the ones in charge of hiring and managing domestic employees “speaks to the extent to which feminist, egalitarian goals of sharing household cleaning and care work remain unachieved.”

Dedication to such egalitarianism underlies the author’s academic work, as well as her political activism. Since 1990, Hondagneu-Sotelo has been involved with the Domestic Workers Association, part of the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA). The group receives the royalties earned through the book’s sale.

The bulk of Hondagneu-Sotelo’s extensively researched and very readable book focuses on the daily travails of domestic workers and their interactions with employers. These include the difficulties faced by live-in maids or nannies—the most exploited of domestics—and the lack

of privacy and clear boundaries between work and non-work time. The frequently poor communication between employer and employee can often result in troubling misunderstandings regarding matters such as pay and the definition of tasks.

The nature of domestic work can also be very lonely—especially for housekeepers who, while relatively well paid, work in numerous houses and often have very little contact with their employers. In exploring these issues, the author provides myriad insights into how both employees and employers can and do avoid such pitfalls.

Domestic work has deep roots in the United States economy. It was the largest source of paid employment for American women during the late 19th and early 20th centuries. But changing social relations and economic growth led to new opportunities for women and a significant decline in such work, causing



STANISLAVA DIMITROVA

some to predict the occupation’s demise. Recent years, however, saw a dramatic increase in demand for domestic help and in new recruits.

The greatest concentrations of paid domestic employment are in certain urban areas, such as Los Angeles. Such work, argues Hondagneu-Sotelo, tends to

emerge in cities where income is relatively inequitable, where multinational capital concentrates and where there are large numbers of Caribbean and Latina immigrants. The destabilizing effects of globalization and neoliberalism along with the presence of violent, authoritarian regimes—often supported by Washington—have played an important role in driving women from their home countries. Growing geographical concentrations of wealth and changes in immigration laws also have attracted them to richer countries.

Domestic work in the United States has long been the domain of poor women, immigrants and women of color, but “over the last century, paid domestic workers have become more homogeneous, reflecting the subordinations of both race and nationality/immigration status,” Hondagneu-Sotelo writes. As mostly Latina and Caribbean immigrants—often undocumented ones—and racialized foreigners, women domestics are disenfranchised in multiple ways. And like women who work in the home more generally, domestics are forced to challenge the widespread perception that housework and childcare are not “real” work. This patriarchal worldview manifests itself in the unjust ways both employers and government treat domestics.

Hondagneu-Sotelo suggests various courses of action, one being the strengthening and enforcement of regulations that govern domestic employment. The author also advocates a public education program aimed at employers of domestics, in addition to collective organizing by and for those who work in the profession. Curiously, she does not offer any suggestions about how to challenge the immigration and international hierarchies that underlie the injustices embodied by domestic work.

Doméstica sometimes has the feel of a primer for both would-be and current domestics and their employers. Yet the book is much more: It is also a manifesto for justice, of sorts, and a practical guide to political strategies and tactics to ensure greater respectability and rights for domestic labor. ■

Joseph Nevins is the author of *Operation Gatekeeper: The Rise of the “Illegal Alien”* and the *Making of the U.S.-Mexico Boundary* (Routledge).

It's All Farsi To Me

By Joe Knowles

Secret Ballot, a new comedy now playing in better multiplexes, is a breezily entertaining road movie about the most abused word in the dictionary. The term in question is "democracy." Or, in Farsi, حکومت قاطبه مردم.

Secret Ballot

Written and directed by Babak Payami

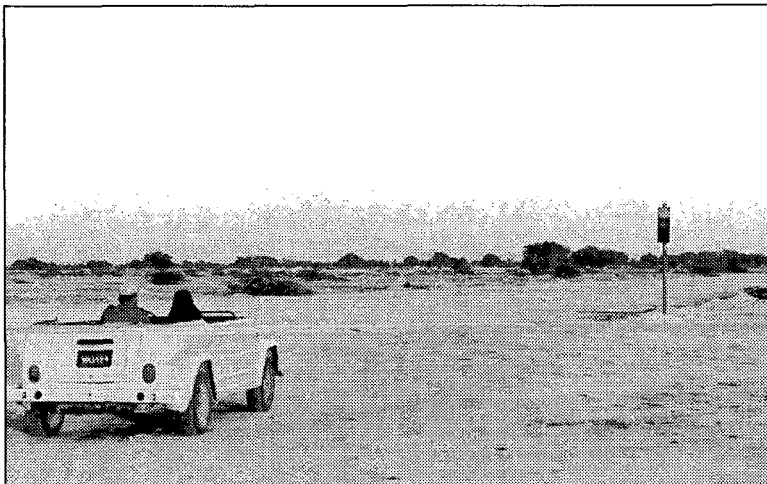
Wait, you don't read Farsi? Those characters might as well be from the console of some alien spaceship? Or a Florida ballot line? If you are like most Americans, you are as uncomprehending as I am of those little black markings, the preferred written medium of some 50 million literate Iranians. Perhaps more linguistically versatile readers can assure me that the above translation, provided by "the first online Farsi dictionary," www.farsidic.com, doesn't actually mean "I am a jelly donut."

But if it does, it would only serve to underscore my point, which is that America fundamentally does not get Iran. It may surprise the average moviegoer that one third of the Axis of Evil is also a limited democracy, with a popular reformist president and legislature bravely determined to peacefully sideline the clique of mullahs who still hold the real power. (This pseudo-democratic arrangement, incidentally, is rather like any number of U.S. allies in the "developing world," such as Turkey, which has generals behind the scenes instead of religious leaders. Except that Turkey has been much nastier to its Kurdish minority.) Iran's 2000 election—and, without a doubt, Florida's—is the context for *Secret Ballot*, which unfolds on a remote island in the Persian Gulf far removed from the drama of mainland politics.

In the opening shot—the first of many surreal touches—a large wooden box parachutes from a military plane. We later

learn that it's Election Day in Iran, and the box contains another box, this one for holding ballots. A female polling agent, a wide-eyed idealist sent to collect the locals' votes, washes up on shore next to the military barracks—not much more than a bunk bed on the beach—and announces to the soldier on duty that he has orders to escort her around the island. Areas as rural as this have no polling places, the chador-clad agent explains, so here the government must send election officials door-to-door.

And so begins the journey of a truly strange cinematic odd couple, tooling around in an open jeep trying to cajole the natives to exercise their rights. The skepti-



The law of the land.

cal soldier, rifle at the ready, chafes at the assignment and unthinkingly scares people away—"I want to vote, but not at gunpoint," says one frightened citizen—but the earnest woman, vainly trying to explain the virtues of democracy to fishermen, herders and their standoffish wives, can't seem to get anyone's attention without him. It's tempting to call both of these characters personifications of the divided Iranian government—he of the grim old guard, she of the younger, modernizing reformers.

That's not exactly the case—thankfully, *Secret Ballot* avoids schematic allegory in favor of a more ambiguous humanism—but in any event, the locals have no use for either of these people. Entreaties to fill out ballots are met with perplexed stares—who ever heard of a woman

polling officer?—or polite offers of food. One busy fisherman shrugs, "Voting doesn't catch fish." A flock of veiled wives complain that they can get married at 12 but must wait until 16 to vote. After getting the brush-off at a populous and rambling estate headed by an ancient matriarch, the agent concedes that "Granny Baghoo has her own government here. She doesn't need representatives."

Indeed, the deep well of absurdity that makes *Secret Ballot* so good is the fundamental disconnect between the election and reality; it provides the engine for the laughs and the occasion for one surrealist gag after another. We reach a nearly Buñuelian climax when the jeep stops at a red light, in the middle of nowhere, that obviously has no reason for existing at all. On the darker side of the same surreal coin, the polling agent, at wits' end, tries

to crash a funeral in hopes of collecting the mourners' votes. When she's coldly ignored at the cemetery, which is off-limits to women, her heartbroken expression—the emotional nadir of the journey—practically carries the film by itself.

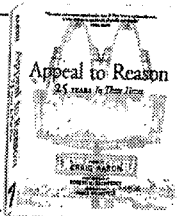
Moments like these reveal that *Secret Ballot* cares deeply about the human beings democracy is supposed to serve—not the other way around, the all too common pitfall of "political" movies. On this island, where the

law is pointedly irrelevant and communication next to impossible, the ballots might as well be in Greek—or English. (Even Farsi isn't good enough for some of the islanders who happen to speak Arabic.) Director Babak Payami, with his long takes, deadpan wit and knack for capturing cultural collision, finds a kindred spirit in filmmakers like Jim Jarmusch and Jacques Tati, whose deceptively low-key comedies also understand that our biggest problem is that we talk too much. *Secret Ballot* is a reminder that political debates, as surely in Iran as in America, are often much more one-sided than we think. ■

Joe Knowles can be reached at knowles@inthesetimes.com.

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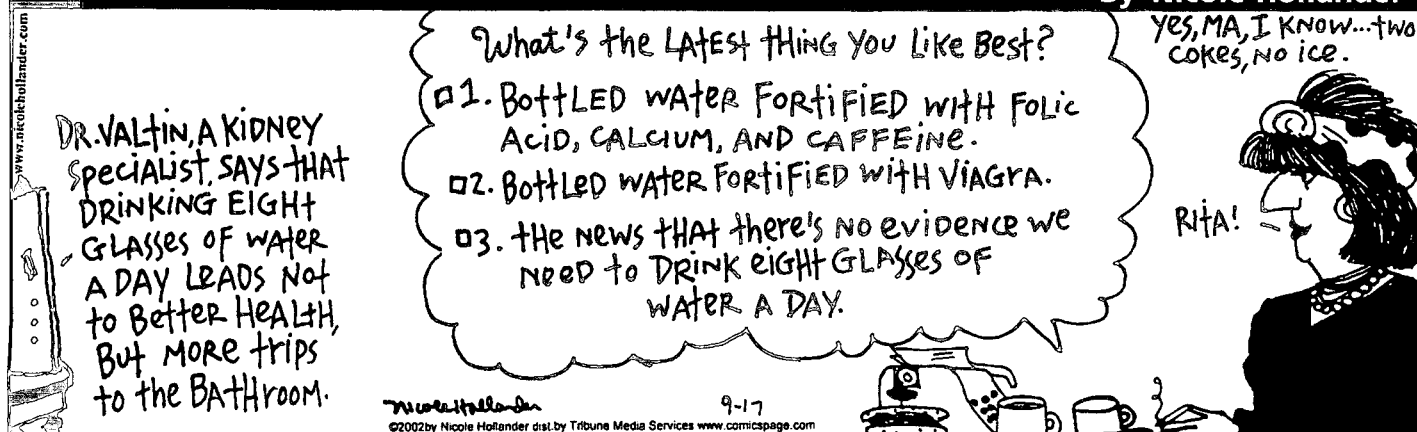
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SYLVIA

By Nicole Hollander



Heading off to Glory

By Joshua Rothkopf

Like many Americans, I wish to confront evil with my secret but stunning powers of kung fu. Since this would be far too vulgar a display of force, I've learned to make do with the cinematic offerings, picking up pointers and improving on my sound effects. *Master of the Flying Guillotine* is as deliciously satisfying as such seminars come, a notorious 1974 bloodfest currently revived from its choppily dismembered afterlife on late-night television. (Such extremities deserve their loving restorers too, maybe even more so.) Whole again at a full 93 minutes yet still delightfully cruddy to behold, it crackles with more punchy style per square inch—not to mention plain old punching—than seems strictly legal.

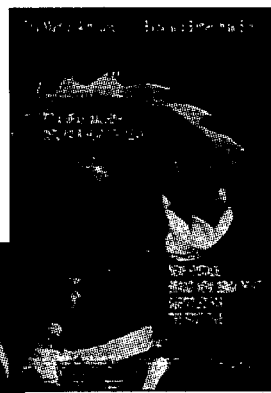
But I get ahead of myself. The titular weapon, an artifact dating back to the Ching Dynasty (or at least the illustrious reign of Shaw Brothers Studios), is basically a red hat attached to a length of chain. When it drops onto your head with a little whistle, the look is really quite fetching; a mesh veil descends, and for a brief moment you resemble a beekeeper with a taste for Gaultier. But with a violent jerk of the chain, razor sharp blades emerge, sending the bonnet—with its contents—back to the wielder. Take it as a lesson: It pays to accessorize.

To watch this beauty in action, a riposte to all laws of physics and practicality, is to be awed by film's purest inventions—by King Kong or flying saucers. You tremble at the sight of its Master (Kam Kang), an ancient monk with feathery eyebrows the size of mature tarantulas. (His swastika-adorned bib may have Buddhist precedent, but its symbolism here is all too obvious.) Only blind in a technical sense, he rages forth from his mountain retreat to avenge the murder of his two disciples. The guy even has his own theme music, a churning metallic groan that swells whenever he wanders into frame. (Credit where sorely due: Neu!, Kraftwerk and other sampled krautrockers should contact their attorneys.)

His avowed prey is the One-Armed Boxer, played by the ingenious writer and director Jimmy Wang Yu. The critic pauses for reflection, knowing that auteurs must be made, not merely discovered. Candidate appears to have been discovered poolside, handsome and chiseled but

never actually inclined to learn a martial art. Shortcomings are hidden by camera trickery, as befitting the ambulatory-challenged roles that bring him idolatry in the late '60s. By the time Wang Yu commands his own productions, his grasp of compositional sleight-of-hand is total. But sadly the moment is over: Bruce Lee's bona fide athleticism is the writing on the wall. Scandals and financial mismanagement do the rest.

Master can thus be appreciated as Wang Yu's final flourish, a sorcerer's last stand. Nothing about it is subtle or honest, no flinch goes unamplified, no body blow unpunctuated. At its heart lies an epic tournament wholly unrelated to the central drama but far too weird to dismiss. One after another, gifted combatants enter the dusty, abstracted arena to ply their skills: the monkey boxer, the "braided hair" strangler whipping his deadly ponytail, the "yoga master" brandishing



extendable eight-foot arms. What little reality remains gets wafted away as two opponents duke it out while perched on wooden poles, suspended over glittering swords. Each match ends with a sickening flourish, the snap of a victory fan as the winner is declared and the "loser" swept off. Once more the drums are beaten. Another round begins. And so on.

It would be scant exaggeration to estimate the influence of this sequence in the billions of dollars; when the mortal combat finally does subside, it's tempting to dig into your pocket for another quarter. Still, the plot must go on. There are one-armed pretenders across the countryside to be beheaded, barefooted assassins to be fried on metal floors. (Words cannot begin to serve.) Along the way, the Boxer solemnly offers bits of wisdom sure to send even non-expert viewers into paroxysms of joy: "The main fundamental of kung fu is to act wise and brave." Wouldn't you know it? He's the good guy.

Eventually, it all comes down to the blind versus the handicapped. But with so much genial exuberance on display—ricocheting zooms, wall-climbing choreography (by the legendary Lui brothers), ass-kickings aplenty—it's easy not to care. *Master of the Flying Guillotine* is either the arcade classic of the season or the most notable pulp rediscovery in years. A few more movies like this, and who knows? I might just have to bust out my eagle claw, my supple snake fist. Evil-doers be warned: I can feel my limbs tensing already. You can't hold me responsible. ■

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